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THE  
LIFE AND SERVICES  
OF  
JOEL R. POINSETT,

*THE CONFIDENTIAL AGENT IN SOUTH CAROLINA  
OF PRESIDENT JACKSON DURING THE NUL-  
LIFICATION TROUBLES OF 1832.*

BY  
CHARLES J. STILLÉ, LL.D.

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*Reprinted from*  
*"The Pennsylvania Magazine of History and Biography."*

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PHILADELPHIA:  
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I.

[Through the courtesy of the surviving member of Mr. Poinsett's family, the Historical Society has been placed in the possession of a mass of papers which illustrate very fully his public and his private life. That life was one of singularly varied interest. Mr. Poinsett was probably the greatest American traveller of his time, penetrating into the most remote and then little known regions of both the Old and the New World; he afterwards won distinction in the diplomatic service of the country, and, above all, he was known as the leader of the Union party in South Carolina during its conflict with the Nullification heresy of 1832. The papers which he left at his death, and which his family have placed at the disposal of the Historical Society, seem to be of great value and interest, as they throw light upon the important events in which he took part. An attempt has been made so to connect them in the following narrative that their true significance as contributions to American history may be understood.]

The career of Mr. Poinsett is not very familiar to this generation, at least in this part of the country, and indeed, the recollection of the great events which are associated in our history with his name during more than a third of the present century has strangely faded from the memory of most people. But fifty years ago his reputation as a statesman of a high order had been fairly gained by his public services, and was generally recognized. His title to this reputation seems, on a review of his public life, to have been on the whole a just one. He belonged in his early manhood to that small but brilliant body of Americans who, with plenty of means, many accomplishments, and much leisure, travelled with very observant eyes most extensively in portions of Europe, then little visited by cultivated people of any country. Their qualities gained them admission into the highest social circles in the countries in which they travelled, and they succeeded by some means, of which those who came after them seem to have lost the secret, in knowing everybody worth knowing, however high their rank or official position throughout Europe, and in leaving a most favorable impression of themselves, and of the nation which they may be said to have informally represented. The curiosity of the foremost courtiers and statesmen of the Old World (men whose names are now historical) was naturally excited by observing the peculiarities of the citizens of the New, as they were exhibited in the types who, at that era, presented themselves as Americans. It cannot be doubted that men like Washington Irving in his younger days, the late Mr. George Ticknor, and Mr. Poinsett among others did us a service with the governing classes of the Old World during the first third of this century which it is not easy to over-estimate.

Mr. Poinsett was not only a great traveller in his early manhood, but wherever he went he was proud of being known as an American citizen, a title which his own personal qualities invested in the eyes of those with whom he was brought in contact with consideration and respect. He wandered too through the most remote regions of

Russia. He became acquainted with the Tartars, the Persians, the Armenians, the Georgians who live in the Trans-Caucasian range of mountains, and along the shores of the Caspian Sea, forming various tribes whose rulers had never heard of the existence of America; later, his travels led him to the other end of the world, to South America, where he was sent by our government to ascertain the condition of the different provinces at that time in revolt against the Spanish Crown. In all these countries he became favorably known to the most distinguished men of the time, from the Emperor Alexander of Russia down to the famous revolutionary chiefs in South America. Everywhere he was received and treated with the utmost kindness and consideration. His great intelligence, his wonderful tact in dealing with men, and his perfect sincerity gave him a commanding influence wherever he went, and that influence was always employed for the advancement of his country's interests.

The four years he passed in Congress (1821 to 1825) added much to his fame, owing to his long familiarity from personal observation with all that concerned our foreign relations. He was thought so peculiarly fitted for the diplomatic service that he was appointed our first Minister to Mexico. There, even with his experience, he found it difficult to steer clearly through the embarrassments which were caused by the distracted and revolutionary condition of the country, but the knowledge that he gained was invaluable to us, and he at least taught the Mexicans, on a memorable occasion, a lesson in regard to the respect due the American flag (of which more hereafter) which they have never forgotten.

He returned from Mexico just in time to take the lead of the Union party in South Carolina in its conflict with the nullification and threatened secession of that State,—a post peculiarly suited to his active and intrepid spirit. It seems to me that he has never received proper credit for the courage and intelligence with which he maintained the cause of the Union in those dark days when the great forces—social and political—not only of South Carolina, but of a consid-

erable portion of other States of the South, were in the hands of the nullifiers, and of those who sympathized with them. By his influence, and that of the Union party led by him, supported by the inflexible determination of President Jackson to maintain the Union by any display of force which might be necessary to accomplish his object, the conspiracy for nullifying the laws of Congress, which was embodied in the famous ordinance of South Carolina in 1832, was broken up, the ordinance itself was repealed, and South Carolina was once more brought into her normal relations with the general government.

Some years later Mr. Poinsett became the Secretary of War in the Cabinet of Mr. Van Buren. His administration of that office was marked by intelligent and comprehensive measures in regard to many subjects of national interest, among others the improvement of the artillery of the army, the honest treatment of the Indians dependent upon the government, and the organization of the famous exploring expedition under Commodore Wilkes. He laid the foundation of much that has since been done by the government, by advocating a wise and liberal national policy with reference to these and kindred objects. During his whole career Mr. Poinsett proved himself a thorough and typical American. His notions of public policy were essentially national, and his allegiance to the government of the United States was always paramount. As such a public man, especially a public man from South Carolina imbued with such principles, and always standing firm on the national side, is something of a political curiosity, his life and career seem well worth studying.

JOEL ROBERTS POINSETT was born in Charleston on the 2d of March, 1778. He was of that Huguenot stock whose force, intelligence, and virtue have been so conspicuous in the history of the whole country, and especially in that of South Carolina. His father, Dr. Elisha Poinsett, was an eminent physician in Charleston, and he seems to have taken uncommon pains in the training of his son. Young Poinsett's school days were passed in Charleston and in Greenfield, in

Connecticut, in which latter place he was under the care and instruction of the Rev. Dr. Dwight, afterwards so famous as the President of Yale College. His constitution was naturally frail and delicate, and it was found that his health suffered so much from the severe climate of Connecticut that he returned after two years' absence to Charleston. There, for a time, he pursued his studies, but in 1796 it was determined to send him to England, and enter him as a pupil at St. Paul's School in London, where his relative, Dr. Roberts, was the Head Master. There he made great progress, particularly in his knowledge of the languages. He was a respectable classical scholar, for he speaks in after-years of having studied Herodotus in the original Greek, as a guide-book to his travels in Southern Russia and the shores of the Caspian Sea. In modern languages he became very proficient. He acquired a fluent knowledge of French, German, Italian, and Spanish, and made some progress in Russian, a sort of knowledge which proved eminently useful to him as a traveller.

From London he went to Edinburgh, intending to pursue his medical studies there. He soon became the favorite pupil of the celebrated Dr. Gregory, then one of the foremost Professors in the University. His health, however, broke down, owing to confinement to his hard work as a medical student. By the advice of his friends he abandoned for a time the study of medicine, and went to Portugal. Returning with restored strength, he became a pupil of Marquis, who had been a Professor in the Military Academy at Woolwich. The bent of Mr. Poinsett's mind and tastes was always towards the life of a soldier, and under Marquis he acquired a thorough theoretical knowledge of his profession, and his body was strengthened by the active military habits and discipline in which he was trained. His father, however, was averse to his entering the army in time of peace, and he was called back to Charleston, and became a student of law. This pursuit, however, was little suited to his active, not to say restless, habits, and it was soon abandoned. He was then permitted by his father to return to

Europe and to become, what his ardent curiosity and quick intelligence had always inclined him to be, a traveller, going wherever his love of knowledge or adventure might call him. He spent the winter of 1801-2 in Paris. He was fortunate in being there at a period the most interesting and important in many respects of any in French history. It was the period of the first consulate of Napoleon, the era of transition from the horrors of the Revolution and of civil and foreign war to the settlement of a stable and orderly government. It was the era of the peace of Lunéville and of Amiens, which had been brought about by the French victories of Hohenlinden and Marengo. Never, perhaps, in the whole career of Napoleon was his power of doing good so absolute as at this particular epoch, and never was his transcendent genius so conspicuous as when he strove to reconstruct French society from the ruins which had been left by the Revolution. Mr. Poinsett witnessed the beginning of the mighty task which Napoleon had undertaken of endeavoring to bring order out of chaos. During his residence in Paris the churches were reopened for Divine service, and a Concordat with the Pope agreed upon, the Legion of Honor was established, a general amnesty was proclaimed, the national finances and credit were re-established, a new system of taxation was adopted, the revolutionary law of succession to property was confirmed, a system of education was organized, the *Code Civil*, perhaps the grandest and certainly the most enduring monument of the Napoleonic era, was discussed and its main principles settled, and throughout France vast works of public utility designed to make people forget the miseries of the Revolution, and bless the government of the First Consul, were undertaken. It was an era of unbounded activity and high hopefulness. The young American traveller had abundant opportunity of studying the effect of these conciliatory measures on public opinion, and of witnessing the violent struggle between the elements of the old and new as the master-hand of Napoleon fused them together. Paris, too, at that time was full of foreigners, many of them men of

distinction in their respective countries, who had been led there during the peace by their curiosity to see the wonderful First Consul, and who wished to judge for themselves of the likelihood of the stability of the vast changes which he had made in the organization of the national life. With these men, as well as with the distinguished soldiers who surrounded Napoleon, he discussed freely the various measures proposed for the reorganization of the nation, and thus in a very important way his political education was advanced.

The next year Mr. Poinsett, taking advantage of the yet unbroken peace, visited Italy, then divided into a number of ephemeral republics established by the French after their conquest of the country. He did not fail to observe how little the real character of the people of that country had been changed by the strange republicanism (according to his standard) which had been forced upon them by the French. That character remained still Italian, with all its defects and characteristic traits, and the administration was wholly controlled by French agents, and in harmony with French policy and interests.

These were new specimen types of the republican form for Mr. Poinsett, and he found another of the same kind when he reached Switzerland on his travels. Switzerland was the oldest republic in modern history, but its ancient organization was not of the French pattern, and did not suit the French policy after the country had been overrun by the French armies. The radical party supported by the French strove to establish, contrary to all Swiss traditions and experience, a highly centralized system, the other, one in which each canton should be practically independent. This latter party, made up chiefly of the men of the forest cantons, determined upon resistance, and they selected the celebrated Aloys Reding as their leader. When Mr. Poinsett reached Switzerland he found that Reding had raised an army of ten thousand men to maintain the cantonal independence, and he joined his army without hesitation. The campaign was a short one, and Reding's forces even gained an important victory over their own countrymen at Morgarten, a spot

sacred in the eyes of the Swiss, for there they had, in 1515, destroyed the army of their Austrian tyrants under the leadership of a Reding of the same name and lineage as that of their present leader, but the French allies of their enemies having surrounded them, and cut them off from all supplies, Reding and his followers were forced to capitulate.

Mr. Poinsett seems always to have embraced the opportunity of becoming acquainted with the men in each country he visited who had become for any reason famous. From the camp of Reding he passed into the society of M. Necker and that of his accomplished daughter, Madame de Staël, who were then exiles from France, and were residing at Coppet, on the shores of the Lake of Geneva. Through the kind offices of Mr. Livingston, then American Minister in France, who was travelling in Switzerland, he was brought into friendly relations with these illustrious personages. They told him much concerning the stormy scenes of the French Revolution, in the early part of which they had been such prominent actors, and, according to Mr. Poinsett's account, they never wearied of talking of events in French and American history. They explained, too, the secret motives (which none knew better than they) of many little-understood acts of the French government in its policy towards the United States during the American Revolution. Mr. Poinsett confirms—what was well known from other sources—the filial devotion, approaching adoration, with which Madame de Staël regarded her father in his declining years. Owing to his imperfect utterance through the loss of his teeth, and Mr. Livingston's deafness, Madame de Staël became to Mr. Poinsett the charming interpreter of the words of wisdom which fell from his lips.

From Switzerland Mr. Poinsett went to Vienna, passing through Southern Germany, at that time far from being the attractive and interesting country which it has since been made by the conveniences of modern travel. He remained but a short time in Vienna, long enough, however, to become a *habitué* of the salon of the celebrated Prince de Ligne, the most distinguished soldier of Austria. He was called

home by the news of the death of his father, and by the serious illness of his only sister.

His love of travel and of adventure still remaining unabated, he returned in 1806 to Europe, intending to carry out his long-cherished plan of travelling in Russia. Indeed, at that time this was the only country on the Continent through which a traveller could pass without inconvenience or danger, as it was the only one which was not overrun by the armies engaged in the Napoleonic wars. He landed at Gothenburg, and passed through Sweden so rapidly that he seemed impressed chiefly with the extraordinary contrast between the poverty of the people and the vast amount of food and drink which they were capable of consuming.

After a painful and tedious journey through Finland, he reached St. Petersburg in the beginning of the winter of 1806-7. At this capital he had unusual advantages of studying the character of the people and the condition of the country at a most important crisis. We had then no Minister in Russia, and Mr. Poinsett was afterwards told by the Emperor Alexander that he was the second American gentleman who had been presented to him.

The condition of Russia during that winter was a very critical one, as the danger of a French invasion became imminent. After the victories of Austerlitz and Jena, by which the French had destroyed the armies of Austria and Prussia, they pressed on eastward with the hope of subduing their ally, Russia. The battles of Eylau and of Pultusk were fought during this period, and although the Russians claimed a victory in each case, the progress of the French towards their frontier was not stopped. Those who were responsible for the safety of the country were filled with grave anxiety, and the Emperor Alexander did not hesitate to say, in a confidential conversation with Mr. Poinsett, that he might even be obliged to sign a treaty of peace under the walls of Tobolsk (Siberia). A ukase was issued in December calling for six hundred thousand additional troops to defend the Empire. Notwithstanding all these preparations, and the grave preoccupations of the

time, the winter gayeties of St. Petersburg, according to Mr. Poinsett, were not interrupted. How the Russians bore themselves, and how they entertained strangers while in imminent danger of invasion, is best told in Mr. Poinsett's own letters, extracts from which we lay before the reader.

. . . "Our consul, M<sup>r</sup>. Levett Harris, asked permission to present me at Court on the first presentation day, whereupon he received the next day a note from the Baron de Budberg minister of foreign affairs asking an interview, whereat he told him, that the Emperor would not wait until the next presentation day, but would receive M<sup>r</sup>. Poinsett the following morning at Parade and that an *aide-de-camp* would be sent to conduct him there. Accordingly I rose and dressed by candlelight and after taking a cup of coffee had not long to wait for the officer who was sent to usher me to the Imperial presence. We were set down at the door of an immense barrack where I found the Emperor in front of the guard surrounded by a train of general officers in brilliant uniforms. He towered above them all and was distinguished by his great height and manly form, as well as by a pleasing and refined expression of countenance. He received me courteously, even kindly. Spoke favorably of our country, said that I was the second American gentleman who had visited Russia and was glad to hear that I was the friend of M<sup>r</sup>. Allen Smith who was remembered in Russia with esteem and whose departure had been universally regretted. He made a sort of apology for receiving me so unceremoniously but supposed an American would not object to be so treated. After a pretty long talk he bowed meaningly & I withdrew. I have since been to court and been presented to the Reigning Empress and the Empress Mother—on this occasion the Emperor advanced to meet me & shook me cordially by the hand. This distinction has brought me into notice, into fashion I may say. I have not dined in my own lodgings since I have been here nor passed an evening in quiet. I dine out daily as a thing of course, and go in the early part of the evening to some ball or *soirée* or reunion of some sort and close the night at Count Gregory Orloff's where the members of the Diplomatic Corps usually drop in to sup & talk over the news and events of the day. At Count Orloff's I meet many very pleasant men among them Pozzo di Borgo a Corsican gentleman who has just entered the service of Russia. I was going to say that his principal recommendation is his

avowed hatred & hostility to Napoleon, the inheritance of some family feud aggravated by personal injuries or insults; but he professes other qualifications for office, is well instructed and well informed, shrewd and bold. He enjoys the confidence of the Emperor & will rise high. He supped at Orloff's the first night after he donned the Russian uniform and we drank to his future success. He is a good talker and an agreeable companion.

"My acquaintance with that gifted nobleman Lord Royston son of Lord Hardwicke, ripened into friendship and as our tastes accorded we agreed to travel together in the spring into the Asiatic possessions of Russia. The southern portion of the Continent of Europe was closed to English travellers and they were fain to turn their steps to the north, so that I met many distinguished men from that country in Vienna & in St. Petersburg.

"Lord Royston was a ripe scholar and we read Herodotus together as a preparation for our eastern tour and studied Russ that we might talk a little to the people. We found it a difficult language to acquire and thought it resembled the Greek in the grammar & construction. Like the Greek, it has the dual which no other modern tongue has, & we found some good Russian translations of Grecian poetry.

"Let me tell you how the day passes here to the idle man of leisure who seeks to make the time agreeable. I generally dress by candle light so that the dawn of a winter's day finds me ready to read or go forth to parade to show myself. Here the Emperor sometimes chats with me and the officers always. By the way I am indebted to them for information which saved me from much suffering. It is against all forms of etiquette to present oneself with great coat or other outward covering before the Emperor, so that the first time I waited on him at Parade I nearly perished with cold. The officers saw my situation and advised me before I repeated my visit to have my clothes lined with oiled silk—I did so and never suffered again from the same cause. After breakfast Lord Royston calls and we have our Russian master & read for an hour or two when we then go out to walk or drive to see sights or separate to our several amusements. I usually to the *Salle D'Armes* kept by one Silverbrük a German an excellent master. Here there is always good company. We then sometimes adjourn to take a second breakfast with Prince Adam Ctzartorizki an accomplished Polish nobleman and a great favorite of the Emperor Alexander. Then home to dress for dinner

and the evening passes as already described. Apropos of dining I received the other day an invitation, an order I should have said, to dine with the Emperor at three o'clock. I repaired to the palace at the hour indicated and was received by the Marshal Prince Tolstoi, and ushered into the presence. The Empress who is one of the most dignified persons, very pretty withal, I ever saw was walking about the room with her sister and His Majesty standing at a window overlooking the Neva. A favorite *aide-de-camp* was present who with the Mareschale made our party of six. I was received unceremoniously and treated kindly so much so that but for a little extra magnificence at table might have fancied myself dining with a *bon bourgeois*. Some of the servants were from the East & wore the rich and somewhat fantastic dress of their country. The soul of the repast was an easy, pleasant flow of talk in which the Empress mingled with great sweetness & good sense. After dinner we returned to the reception room, where we partook of coffee and had a very long conversation upon the political affairs of Europe. The Emperor urged me to learn the language and seemed pleased when I told him I was doing so. He then expressed a wish that I should visit his dominions and bring him an exact account of their condition adding some flattering words which I will not repeat. I have met him since and he has always renewed the subject. The last time he addressed a few words to me jocularly in Russ which I fortunately understood & could answer. He laughed and encouraged me to persevere. By the way these meetings in the streets are awful events. When the Emperor stops to talk to any person, which he does very rarely, every one stops too so that the pavement & street are choked with the passengers no doubt cursing in their hearts the interruption and its cause.

“As I was told would happen after dining with the Emperor, the Empress Mother who keeps a court of her own invited me to her table. This was a very different affair, a dinner of twelve covers the only ladies the Empress and the Grand Duchess Catherine, the men were the officers of her court and attached to her service. I dare say pleasant gentlemanly men, but I had no opportunity of ascertaining their companionable qualities. I was seated nearly opposite the Empress and we had all the talk to ourselves. She took no notice of any one else & addressed herself altogether to me sometimes questioning me without pity & at others telling me of her charitable and manufacturing establish-

ments both here and at Moscow. I must see them from Cronstadt to Moscow. The first part I have undergone, but the best is to be seen at Moscow, an orphan house & establishment of *Demoiselles nobles*. The magnificence and refinement displayed in these court entertainments are captivating and the notice of such personages highly flattering. It has not turned my head quite & I do not think it would be agreeable to pass one's life in such company. I was going to write Society but there is no Society properly so called without perfect equality. As I promised I went to Cronstadt the port of St. Petersburg. Harris (the Consul) accompanied me in a sleigh. We set out before daylight that we might return the same evening. We saw the cotton manufactory which is under the patronage of the Empress mother, and the workshops of the navy yard, all very inferior to those I had seen at home and in England. In the former I especially noted the excellencies & defects for I was warned that I should have to undergo a strict examination the first time I met the lady patroness. Looking from the docks to seaward as far as the eye could reach was one sheet of ice covered with a thick coating of snow. I was summoned to the palace to assist at another dinner party & to be questioned by the Empress mother. The affair went off exactly as the first party had done except that we talked a great deal about carding & spinning. I explained how cards were made in the United States by machinery, and her Majesty gave instant orders to have the machinery introduced into her manufactory at Cronstadt. I did not say so, but was sure manufactures fostered by imperial favor alone will never succeed. There is nothing of the energy & economy of individual interest and the workmen are serfs receiving only a scanty modicum not sufficient to maintain their families in any sort of comfort. The women in serfdom pay no tribute, neither do they receive any wages when they accompany their husbands to these imperial workshops; altogether it is a wretched system. Alexander is suspected of being opposed to it & his actions and sayings are watched with great jealousy by the nobles whose estates consist altogether of this description of property. Fortunes are estimated by the number of souls a proprietor possesses. These souls (the men only) are not ill treated and pay only a moderate tribute; but notwithstanding the numerous humane ukases for their especial benefit, they and their families are slaves and although by law *adscripti glebæ* are sometimes sold without the land.

“The Emperor said to me one day, ‘we cannot create a mercantile marine and have been hitherto entirely dependant upon England for the transportation of our produce. We now hope the United States will relieve us from this dependance, and are therefore anxious to encourage your shipping and to form the closest commercial relations with you. You must say so to your President,’ which I accordingly did. But I sought the reason why Russia could not possess a commercial marine and soon found it in the nature of her institutions. If a ship is to be fitted out for a foreign port the ship’s husband must give security that the sailors, who are private property will return to their owners. A condition so burdensome puts an effectual stop to all mercantile enterprize in Russian bottoms. The ships of war are manned either by the Crown peasants or by draft as the army is filled. By the way no army is recruited with so little trouble. Orders are extended to the Landed proprietors to furnish on a given day so many per cent. of their vassals of a certain age. The poor serfs are marched to the rendezvous and on the appointed day received by the recruiting officer, shaved, uniformed and speedily converted under the rudest discipline into a regular soldier of wonderful endurance and great passive courage.

“There is in St. Petersburg a college of foreign affairs where those who are destined to conduct the civil and political affairs of the country are educated. It ensures some fitness and a steady undeviating policy in the government as some clever men have been brought up here. I distinguished young Count Nesselrode and Count Lieven among the number—Dolgorouki, but why should I repeat these Russian names which you will never retain nor care about even if they should hereafter become conspicuous in history. In this country to have rank at Court it is not sufficient to be born the son of a Knas or Prince the Russians have translated the word. A Knas is in most respects like the ancient Scotch Laird—chief of a clan, but the Knas’s clan are more slaves than the highlanders ever were. Prince indeed! All the sons & daughters of these hereditary landholders are called Prince & Princess which multiplies the number of these titles inconveniently—Counts are more rare. They are later creations since Peter the Great and copied from the German; Graf & Gräffen serving to designate the numerous tribe in both countries. Well neither Prince or Count take rank at Court or dare drive about the streets of St. Petersburg or Moscow in a coach & four

unless they have served in some civil or military capacity up to the rank of Major. All rank having relation to the military. My excellent friend Count Gregory Orloff, a Senator & Privy Counsellor, is a Lieutenant-General although he never saw an army except at a grand review.

"I have seen a magnificent display of the Imperial troops, 20,000 men of all arms drawn up & manœuvring on the solid ice of the Neva. You have no idea of the imposing appearance of such an array. Horse, foot & artillery perfectly appointed thundering away upon the smooth plain of the river. The cold was too intense for the troops to remain out long, so that the solemn impression of the spectacle rested pleasingly on the imagination. We have heard of the battles of Pultusk and Preusse Eylau. The Russians claim the victory and have chaunted *Te Deum*; but there is an air of consternation about the Court which induces me to fear the worst. The Emperor too said to me that he would make peace under the walls of Tobolsk; which looks like an expectation of being driven out of his capital by the arch fiend as Buonaparte is denominated here in common parlance. The common people look upon him as the devil incarnate for he has been excommunicated in the Greek churches of the Empire.

"The Emperor is about to depart and draw nearer the frontier. This movement I find fills his most sagacious friends with fear. If he joins the army his courage will expose him to danger & they dread his Eldest Brother Constantine. He is indeed a fiend, and with a government such as this the only alternative would be to repeat the tragedy of the death of Paul. Again those who know Alexander best say that he will succumb in case of renewed reverses and make peace with France. We shall see. The Emperor told me he was going & spoke right manfully. He sent for me to dinner at the palace and after it was over took me by the arm and walked into an adjoining apartment. I am a little deaf you know said he & want to talk to you confidentially. He put many pertinent questions about our country & our system & after hearing my replies said emphatically well that is a glorious form of gov<sup>t</sup>. & if I were not an Emperor I would be a Republican, meaning of course that if he were not an Autocrat, a sovereign *per se* he would be one of the sovereigns. He then said that it was a pleasant thing to converse with a man who had no fear of offending & no favor to ask or expect, but that he wished to change these relations with regard to me and

would gladly see me enter his service either civil or military. Seeing me about to reply & reading hesitation in my looks he continued execute your project, see the Empire, acquire the language, study the people & when we meet again let me hear your determination; and so we parted. The prospect is a brilliant one but somehow I cannot reconcile it to my sense of duty to abandon my country."

In March, 1807, Mr. Poinsett, accompanied by Lord Royston, began his journey to the southeastern provinces of Russia. They were furnished by the government with every facility for travelling in safety through the wild regions on the borders of the Caspian and the Black Seas, being specially recommended to the care of the Russian commanders in that quarter. They reached Moscow after a journey of five days, suffering intensely from the cold, and travelling in a conveyance which Mr. Poinsett says, "rolled and pitched like a vessel in a choppy head sea," the motion at times making them quite sea-sick. At Moscow they saw what few Americans have ever seen,—that wonderful city in its strange Oriental aspect, before it was destroyed by fire after its conquest by the French in 1812. From Moscow they passed on eastwardly to the ancient Tartar city of Kasan, and thence down the Volga to Astrachan at its mouth. Here they entered upon the threshold of a world totally new and strange to a Western traveller. That portion of Russia which they proposed to visit had been recently annexed to the Empire, the eastern part, or that between the Caspian and the Caucasian Mountains, having been taken from the Persians by Peter the Great, while the western, that between those mountains and the Black Sea, known as Georgia, had been conquered from the Turks by the Empress Catherine. These districts were then occupied by Russian troops, and they were inhabited by wild and savage tribes of shepherds, who were still in a great measure ruled by their own khans, and retained many of their old habits and usages. They stood to Russia very nearly in the same relation which Russia had once held to their forefathers, the Tartar tribes, who

had overrun their territory,—that is, they were tributary states. The country which they occupied between the Caspian and the Black Seas formed the route which the larger portion of the original Aryan stock had taken in prehistoric times in their migration from Asia to Europe. Many traces of their most ancient manners, customs, and religions still remained. The population was a strange medley of races and tribes, retaining in many cases the various forms of religious worship which their fathers had brought with them from their original homes. There were collected in this out-of-the-way and comparatively small territory not only Russians, but Cossacks, Calmucks, Tartars, Hindoos, Persians, Greeks, and Armenians. Each race lived apart, and preserved some of its original distinctive peculiarities. The travellers visited, for instance, the Hindoo temple of Brahma at Astrachan. There they saw, what has often been observed by travellers in India, a form of worship and ritual resembling in some respects that of the Roman Catholic mass. Buddhists were also to be found among the Calmuck Tartars, and the worship of the Lamas. They were there shown the famous prayer-machine, consisting of a barrel, on which were pasted written prayers, which, when revolved with great rapidity in the face of the idols placed before it, prayed as much and as effectually, in the opinion of their priests, in one minute as could be done in the ordinary method in a whole day. Later on, near Baku, on the southern shore of the Caspian, the seat of the naphtha- or petroleum-wells, and now the centre of a vast trade in that article with all parts of Europe and Asia, they encountered the Guebres, or Fire-Worshippers, who were Persian pilgrims, who had travelled a long distance in order to perform their devotions in the “Land of Eternal Fire.”

At Astrachan the travellers began to wonder why an empire so autocratic as that of Russia permitted such a diversity of opinions and usages in matters of religion as prevailed there, and this wonder was increased as they penetrated farther into the country. They saw nothing which they were in the habit of regarding as distinctively

Russian except the garrisons intended to preserve the peace and obedience of the country. At Astrachan they remained about three weeks, and, although the plague was raging in the town, and even in the quarantine grounds, their curiosity to see all the strange and novel things to be found in the neighborhood was boundless, and they were not deterred by fear of infection from visiting them all.

The Caucasian provinces to the south of Astrachan were inhabited by warlike pastoral tribes, still ruled by khans who were practically independent. The Russian authorities considered travelling through this region dangerous, especially where the travellers were two strangers, who claimed that their only motive for visiting the country was curiosity,—a motive which the natives could not, of course, appreciate. They were provided, therefore, with an escort of three hundred Cossacks. They were advised, it is said, by one of the khans whom they met at an early stage of their journey, to dismiss their escort, and to trust to Tartar hospitality for their safety and kind treatment. Fortunately for them, they did not follow his advice, as it proved that their guards were more to be trusted than some of the wild chieftains whom they met. They reached Derbend (Portæ Caspiæ) in safety, and thence went on to Baku, then a district regarded with superstitious terror as the land of eternal fire, and now converted into a place whence a large portion of the civilized world draws its supplies of material for artificial light. The travellers, of course, met with some curious adventures on their way, and of these Mr. Poinsett gives in one of his letters the following lively account :

“ . . . From the constant state of warfare in which this country has been involved the Peasantry invariably at our approach took to the woods, but after a little while finding that their houses were not burnt they returned, and the Mahamandar presented to the principal the firman for quarters and a supply of provisions, which generally produced great murmurings and generally ended by the Mahamandar beating them most unmercifully, this *argumentum baculorum* invariably produced a supper. Our quarters always consisted of either a scaffold erected on four poles

on the roof of a house, the inside being uninhabitable. The houses of the Peasantry are built of clay or unburnt brick. We had proceeded thro' a well cultivated Country having a view of Caspian on one side and the great chain of Mount Caucasus on the other the summits covered with snow. On the third morning the alarm was given that a troop of horsemen were advancing towards us, we arranged our little troop and prepared to receive them. When they were within musquet shot the Principal of them advanced and said that he was chief of several villages near us and entreated us with much importunity to accompany him to the nearest and spend the remainder of the day. We consented, and he immediately dispatched a Courier to have every thing prepared for our reception. We spent the remainder of the day with him and he entertained us in the best manner the village afforded. In the morning when we wished to proceed we missed the horses of our Conductor and Persian Escort; fortunately our own and the Copahs were picketed under a guard. Our treacherous host had disappeared. Whilst we were deliberating what was to be done, he sent us a message to say that as we were travelling without the escort of his Khan he should not permit us to proceed any farther, and if we attempted it by force he would raise the whole Country; he appeared at the same time at the head of a body of horse. To attempt to proceed would have been folly, to retreat to Derbend near two days journey was equally impracticable. We therefore resolved to gain Kouba the residence of the Khan about thirty miles from the village. I accordingly ordered the Copahs to seize all the horses in the village and mounted the Persians in the best manner possible and we began our march, the Beg and his followers hovered about us for some time without daring to attack us. He at length advanced, and demanded a Parley. I met him with only our Interpreter. He asked where we intended to go. I told him very calmly to the Khan of Kouba to complain of his robbery and insolence. He said all he wished was that we should go to the Khan and that he would accompany us. When we were within five miles of Kouba he again rode up, and said that if we would say nothing of what had passed to the Khan he would return the horses. We told him that we would make no conditions with such a villain. He hesitated for some time but at length returned the horses and his troop dispersed.

“Upon our arrival at Kouba we were conducted to the market Place into a large open Piazza where Carpets were

spread for us and we were desired to repose until the Khan was prepared to receive us. The whole town of Kouba collected in the market place to see European travellers a sight most rare in Kouba. The officers of the Khan household were obliged to exercise their sticks to keep them from crowding into the Piazza. After waiting more than an hour in grand exhibition, the gentleman waited upon us to say that the Khan was ready to receive us.

“The Khan was seated in a large Persian summer house an elevation of three stories without walls. On the third floor the Khan was seated surrounded by all his court. Without the circle his guard were stationed leaning upon their fusils reversed. The Khan made a sign to us to seat ourselves near him and welcomed us to Kouba. I immediately harangued him upon the occasion of our coming to the Court, detailed the whole conduct of the Beg and demanded to know whether it was by his orders that we had been treated in that infamous manner and ended by declaring that it would be an eternal stain to the bright reputation of Chiek-ali Khan that strangers had met with such outrages in the Khannate of Kouba. The astonishment of the whole court when this was interpreted to them is not to be described. The Khan disclaimed all knowledge of the transaction, expressed great regret at our treatment, but begged that now we were at Kouba we would no longer think of the disagreeable Circumstances which had brought us there, but endeavour to divert ourselves in the best manner possible. He then became very inquisitive asking questions dictated by the profoundest ignorance. We were obliged to give him a long geographical lecture which he made his secretary write. Upon being told that I was from America he asked me if the King of America was powerful among the Kings of Europe and if we joined the French Empire. After a long explanation he insisted upon knowing the name of our Shah and Thomas Jefferson is on record at the court of Chiek-ali Khan of Kouba as Shah of America. In the meantime the servants spread cotton Cloths round the room and placed before each guest a thin piece of bread near a yard long which served likewise the purpose of napkins for they eat with their fingers and grease their hands and beard most filthily. They next brought water to wash our hands, and placed before us different meats cut small, with rice. The Khan’s Physician sat next to him and pointed out what he was to eat and served him with wine of which he drank plentifully, obliging us to pledge him each time observing

that he was a strict observer of the laws of Mahommed except in this one instance but he could not refrain from wine. Whenever any one drank 'Khan Saluna' or the health of the Khan re-echoed round the room; When he drank himself it was a horrid tintamarre for this ceremony was repeated four times. Whilst we dined, some musicians and buffoons entered the room and the Physician came to inform me that one of them would play the devil for our diversion. The droll put on a fools' Cap with bells and began dancing and singing with such antic gestures as put the whole court into a roar of laughter. Then ensued a Contest between two musicians who inflating their cheeks produced such long shrill notes from an octave pipe as excited universal applause. Their music consisted of these pipes, a three stringed fiddle, two guitars a small drum and two tambours de basque. They have little idea of time and have no notes, whilst they played, the whole Court beat time or rather clapped their hands. During the contest between the pipers which should produce the longest and shrillest notes, several girls entered, elegantly dressed after the Persian manner, long large red pantaloons which cover even the instep, a close silk jacket, and over it a short robe open in front, their heads covered with a veil. They took their seats at the lower end of the room and uncovered their faces. They were generally handsome & highly painted which is a general custom in the east. As the Pipe was handed constantly round they smoked in their turn with great *gout*. They danced and sung alternately, their dancing resembled that of the Spanish women, very little motion of the feet, but much graceful action of the arms and body. Their singing was a horrid squalling in loud falsett voice. They hid their faces which was necessary for to produce those sounds. The contortions must have been great. The Khan who had drank much wine became very facetious, and amused himself with drumming time upon his physicians head, and hitting his prime minister great thumps on the back to the great diversion of the court. During these entertainments fresh dishes were constantly brought in, some in a singular manner, the roast always on a long stick, which the *Ecuyer tranchant* shoved off into our plates. As this entertainment had lasted from five till long after midnight we thought it time to withdraw and accordingly took our leave retiring to our piazza, where we passed the remainder of the night.

"In the morning we performed our toilette before hundreds even in the market place. When we had breakfasted,

one of the officers led before us two handsome horses which he presented in his masters name. We shortly after had our audience of leave in which the Khan was particularly solicitous that we should mention him in foreign countries, and was particularly gratified on being assured that wherever we went we would always speak of the magnificence of Chiek-Ali Khan. We left the town of Kouba which is fortified with a single wall and delightfully situated in a vast valley, having a view of Mount Caucasus. As we had an escort from the Khan and his firman we continued our journey in perfect security. The Khannat of Kouba is the most beautiful and fertile country we had hitherto seen. We stopped the first night at a village where, as usual, the Inhabitants fled at our approach and upon their return were most unmercifully beaten. I assured these unfortunate people that I would pay them and made my interpreter offer them privately money, they refused however saying that should their Khan be apprized of their having received money from us they would be severely punished. Once indeed an Armenian declared that there were no provisions in the village and upon my giving him money rode off with the declared intention of purchasing every thing necessary from the next village, but we saw no more of him and upon his comrades being beaten they produced our usual supper which consisted of a Pilau. The ensuing day we left the Khannat of Kouba and entered that of Baku a gloomy desert, bleak barren hills sloping to the Caspian scarcely covered with a blade of grass.

“The Russian commander received us very politely and assigned us very good quarters, we were obliged to remain here several days to recruit our sick for the fatigue of riding on horseback and sleeping in the air had proved too much for two of our servants.

“The harbor of Baku is formed by a deep bay and the entrance protected by two islands. It is the best and indeed may be said to be the only port in the Caspian. The navigation of this sea is rendered extremely dangerous by the want of ports, the numerous sand banks, and frequent occurrence of gales of wind, which, altho' there is no tide, raise the sea to a great height, and occasions an overflow of the adjacent low lands.

“General Gouvief accompanied us to view the sources of Naptha which are within 15 miles of Baku and constitute its chief branch of commerce. On our approach to the source, the earth for a considerable distance round was covered with

a thin stratum of Naptha. The large source is of some depth and the petroleum is brought up in skins and deposited in large reservoirs whence it is conveyed in skins to Shammackie and other parts of Persia. It is used universally by the Persians for their lamps, and especially in the manufactories of silk, the people imagining that it is the only light they can use without destroying the worm. There are some small villages near these works, the machinery is the same used by the Persians and is as bad as can be imagined. There are some smaller sources of white naptha near this but the grey or black naptha is the most abundant and the most productive."

From Baku the travellers crossed the country to Tifflis, in Georgia. Thence they went to Armenia, and were present at the unsuccessful siege of Erivan by the Russians. As war was then waging between Russia and the Ottoman Porte they were, therefore, unable to reach Constantinople, but returned northward to Moscow and St. Petersburg, the first portion of the journey being through so sickly a country that out of the party of nine who had left Moscow together for their expedition only three returned alive. The health of Mr. Poinsett suffered so much during this journey that he was obliged to remain several months in St. Petersburg before he gained sufficient strength to travel to the waters of Toeplitz and Carlsbad.

On his way thither he passed through Koenigsberg, where the Court of conquered and devastated Prussia, driven from Berlin by the French, then resided. He was presented to the King and to the celebrated Louisa, Queen of Prussia (the mother of the late Emperor of Germany), celebrated alike for her beauty and her misfortunes. It was then generally thought, and the story even now is commonly believed, that the Queen had been insulted by the Emperor Napoleon while interceding with him for mercy towards the luckless country whose armies he had destroyed. The statement that she had been insulted she positively denied, according to Mr. Poinsett, and said that she had no other cause of complaint than that the Emperor refused to grant her prayer that he would spare her country. The King complained that the Emperor

Alexander, who had urged him to embark in this unhappy war, had accepted from Napoleon a portion of the dismembered Prussian territory.

At Toeplitz he met the Prince de Ligne, and Mr. Poinsett, true to his instinct which led him to search out all the prominent men of his time wherever he found them, was much interested and instructed by the view he gave him of public affairs at that critical period. The peculiarity of the Prince's position was this: while horror-stricken with the spread of revolutionary ideas, and the ascendancy of the French arms in Europe, he was disgusted because Austria had not placed him in command of the armed force designed to combat them. No man in Europe had at that time a higher reputation for brilliant qualities and great services than he, but he had lost his influence at the Austrian Court on the death of Joseph II.

In the spring of 1808, Mr. Poinsett having recovered his health, went through Germany to Paris. Never was that city more brilliant than at this time, and nowhere could be found a greater number of men who had gained European renown by their services in the great Continental wars. One of the most distinguished of the soldiers of Napoleon was Massena (Prince of Essling), who previous to the French Revolution had been an instructor in fencing of Mr. Joseph Allen Smith, who had given Mr. Poinsett a letter of introduction to him. He seems to have been very kind to Mr. Poinsett, and presented him to Clausel, afterwards Marshal of France, and to many other distinguished French soldiers. Mr. Poinsett tells a curious story illustrating the relations of Massena with Napoleon. In a private interview between them a gun was suddenly heard to explode in the imperial cabinet. The attendants rushed in, and found Massena bathed in blood, while the Emperor explained that the gun had been discharged by accident. The rumor spread, however, that Napoleon, in a fit of passion, had tried to murder the Marshal. Mr. Poinsett paid a visit to Massena, who was confined to the house by his wound. He spoke of the rumor, and Massena told him it was well founded, that the

discharge of the gun was not accidental, adding, "The cursed little fool could not even shoot straight, or he would have killed me."

Mr. Poinsett was present (as he always seems to have been, with his extraordinary luck, on every important occasion) at the celebrated interview between Napoleon and Count Metternich, the Austrian Ambassador, at the Tuileries in 1808, when the French Emperor publicly threatened Austria that, if she continued to arm her subjects, he would crush her beyond the power of recovery, a threat which Napoleon supposed he had carried out when he dictated a second time peace in the Austrian capital and married an Austrian princess.

While Mr. Poinsett was residing in Paris there occurred the memorable incident of the attack in time of profound peace by the British war-ship "Leopard" upon the American frigate "Chesapeake," the "Leopard" firing a broadside into the "Chesapeake," and compelling her to surrender certain of her crew, who were claimed to be deserters from the English navy. Like most of his countrymen, Mr. Poinsett regarded war with England as the inevitable result of this deplorable outrage. He lost no time in hurrying home and offering his services to the government. He hoped to receive the appointment of quartermaster-general, that being the office for which he deemed himself best qualified. He failed, however, to secure the position, and indeed the immediate prospect of war was removed by the disavowal on the part of the English government of the act of the commander of the "Leopard" and the punishment of the admiral who had ordered it.

President Madison, who had been very much impressed with the capacity of Mr. Poinsett, then invited him to go to South America on a secret and confidential mission. The provinces of Buenos Ayres on the east and that of Chili on the west side of the Andes had risen in revolt against the Spanish government, and had established provisional Juntas, who were for the time being the *de facto* rulers of the country. Mr. Poinsett's instructions were to ascertain how firm a foun-

dation these new governments had, and if he found that their existence was likely to be permanent, he was to negotiate treaties of commerce with them. Mr. Poinsett was obliged to dissemble the object of his mission, as the English, who were numerous and powerful at Buenos Ayres, were very jealous of the interference of any other power seeking to share in the rich harvest which they hoped that they alone would gather when the Spanish restrictive colonial policy was abandoned. By skill and address, however, not unmingled with a certain amount of personal danger, Mr. Poinsett reached Buenos Ayres by way of Rio de Janeiro, and there, notwithstanding the violent opposition of the English merchants, he concluded a favorable commercial treaty with the revolutionary authorities.

To complete his mission it was necessary for him to cross the Andes and negotiate a treaty with the authorities of Chili. This province was then governed by the popular Junta, while Peru was still under the authority of the Spanish Viceroy. The two provinces were engaged in war with each other, so that until the war ended it was impossible to tell whether it would be practicable to conclude such a treaty as Mr. Poinsett was instructed to make. There seemed, indeed, little probability that hostilities would soon be brought to a close. Mr. Poinsett became irritated by the helpless inactivity which he was obliged to maintain. Fired by the example of Carera, the leader of the Chilian army, and yielding to his influence, he was induced by him to accept the command of a division of his army. He could, it is true, find nothing in his instructions as *Chargé d'Affaires* to justify such an act, but he never was idle or inactive when the interests of his country required him to confront personal danger, and he did not hesitate to take the responsibility. Shortly after he had assumed command, he learned, through an intercepted letter to the Viceroy of Peru, that the commandant at Talcahuano, on the bay of Concepcion, had seized eleven American whalers which had touched there for supplies, and that the crews of these vessels would be sent to Callao as prisoners as soon as a "set of irons could

be completed for the purpose of securing the men." He immediately put his army in motion for Talcahuano and completely surprised the Peruvian detachment in charge of the vessels. He then posted his artillery in a commanding position and demanded its unconditional surrender to the Junta of Chili. His demand was at once complied with, the Peruvian commander who "was completing the irons" was made prisoner and the vessels were released. It is not easy, of course, to describe the surprise and gratification of the American captains when they found that their liberator was one of their own countrymen, exercising his functions as *Chargé d'Affaires* in this novel and efficient way.

While Mr. Poinsett was in Chili he was a spectator of one of the most memorable combats in our naval history, and indeed almost one of the participants in it. Captain David Porter was in the neutral port of Callao with the "Essex," considering himself in such a place out of all danger of attack from two English vessels, the "Phebe" and the "Cherub," that lay close beside him. Captain Porter had made a most successful cruise in the "Essex," destroying almost wholly the English whaling fleet in the Pacific. He was about to sail for home with Mr. Poinsett as one of his passengers, trusting to the speed of his vessel to outstrip the two ships of his enemy. Unfortunately for him a gale occurred, which injured some of his rigging, just as he was off the port. He was about putting back for repairs when he was attacked by both English ships, and a battle ensued which, whether we consider the disparity of the forces engaged or the conspicuous gallantry with which the "Essex" was defended in a hopeless contest of more than three hours, is hardly paralleled in naval history. The battle was fought within the range of a fort on the Chilian shore, and Mr. Poinsett was sent to beg the commander to fire on the English, who were violating the neutrality of his country. But the fear of the consequences kept the Chilian officer quiet. The prisoners taken in the "Essex," including Captain Porter, were sent home by the English in a *cartel*, but permission for Mr. Poinsett to embark with them was positively refused, Cap-

tain Hilyar giving as a reason what, under the circumstances, was a high compliment to Mr. Poinsett, declaring "that he would not suffer the arch-enemy of England to return to America while the two countries were at war."

Mr. Poinsett, nothing daunted, however, recrossed the Andes while they were covered with snow, reached Buenos Ayres in safety, and passing down the Rio de la Plata in a Portuguese vessel, and running the British blockade of the river, was at last safely landed in the island of Madeira. He soon made his way to the United States, but he found that peace had then been made with England, so that there was no longer any hope of his distinguishing himself, as he had always longed to do, in the military service of his country.

On his return home he did not seek, as he well might have done, repose after all the exciting adventures through which he had passed. His active and enterprising spirit found a large field for the development of its energy in projects for improving the condition of his native State, by the construction of good roads and water-courses between its widely-separated parts. He was appointed Chairman of the Board of Public Works, made many suggestions in regard to the internal improvements of the State, and superintended the construction of at least one road which in its day was regarded as a model for a work of that kind,—the turnpike through Saluda Gap.

In 1821, Mr. Poinsett was elected a member of Congress from the Charleston district. He took a prominent part in many public measures of great importance, but his influence was perhaps strongest on the question of recognizing the new republics of South America, concerning which his opinion, based upon personal experience, was singularly potent. He opposed the project of sending a commissioner to Greece until that country was at least *de facto* independent, in a speech of great statesmanlike force, not because he was without sympathy for the sufferings which the Greeks endured at the hands of the Turks, but because he regarded the measure as one likely to serve as a precedent for involving us in the complications of European politics.

In the year 1822 the question of the recognition of the independence of Mexico by our Government became a practical one. From the year 1811, when the revolt of the Mexicans against the Spanish Crown began, a number of governments which, judging by their short duration, can be regarded only as revolutionary, had ruled that portion of the country from which the Spanish army had been driven. The insurgents who formed these governments had been at last subdued by the Spanish forces, but in the year 1821 a new and formidable movement took place to establish the independence of Mexico under Don Augustin Iturbide, who had been an officer in the royal army. In 1822, Iturbide, in the face of much opposition, was proclaimed Emperor, and the question for our Government was to determine whether, in view of all the revolutionary disturbances which had preceded his accession, he was so supported by public opinion that he would be able to establish a permanent government in Mexico and thus entitle him to a recognition on our part as the *de facto* ruler of the country. The President (Mr. Monroe) selected Mr. Poinsett for the delicate and responsible duty of ascertaining the true state of affairs. His mission to Mexico was secret and confidential, and he went there in 1822. He travelled through many districts of Mexico, mingled with all sorts and conditions of people and with men of every party. The result of his observations, so far as he thought proper to make it public, appeared in a book called "Notes on Mexico," which he published shortly after his return. It contained the best and indeed the only trustworthy account of Mexico which had appeared in the English language up to that time. His familiarity with the Spanish language and his long acquaintance with public men both in the Old World and the New, as well as his experience with people who "get up" revolutions in both hemispheres, gave to the judgment which he at last arrived at great weight. He came to the conclusion that Iturbide was not firmly seated on his throne, and therefore that it would not be wise for us to recognize him. He had hardly returned to this country when news reached

here that the Emperor had been deposed by a new revolution. It may be added that Iturbide was exiled, but that hoping again to regain power he returned to Mexico, and having been taken prisoner was at once shot. It is perhaps worthy of remark that to the Mexicans of the present day Iturbide, although he was shot as a traitor, is nevertheless a national hero. At present the highest places in the Mexican Valhalla are appropriated to those who although Spaniards were themselves in life conspicuous for their hostility to the injustice and cruelty of the Spanish domination. Thus in the new Paseo of the City of Mexico colossal statues commemorate four men whose title to fame rests in the eyes of the Mexicans on this basis. These statues are those of Columbus, victim of the ingratitude of Spain; Hidalgo, who headed the first outbreak against her authority; Morelos, who continued the revolution; and Iturbide, who although once a royal officer and in the end executed as a traitor to the republic is still a popular hero because he died an enemy to the Spaniards.

On the return of Mr. Poinsett from Mexico in 1823 he became a candidate for re-election to Congress. The excitement concerning the tariff was just beginning, and the measures which it would be proper for South Carolina to take in case the Government should not change its policy on this subject were being discussed, and it was proposed by some of his constituents that he should pledge himself before the election as to the course he would pursue as a member of Congress. To his honor be it said, and as an example to us in these days of political degeneracy, that he promptly and decidedly refused to make any such pledge or declaration. He told those who asked him to make such a promise that his past public career was the best pledge he could give for his future course, and his constituents were wise enough to re-elect him by a large majority.

In 1824, Mr. Poinsett was an ardent advocate of the election of General Jackson to the Presidency. As there was no choice by the people, the contest was transferred to the House of Representatives, when Mr. John Quincy Adams was chosen. On the day after Mr. Adams's inauguration

he offered the post of Minister Plenipotentiary to Mexico to Mr. Poinsett. Two things are to be specially noted in this offer,—first, the purity of the public service at that time, which permitted the appointment of a political opponent to one of the most important offices in the gift of the President; and, second, the high opinion entertained by Mr. Adams of Mr. Poinsett's qualifications, and certainly no one had had more abundant opportunities than he of testing his special gifts as a diplomatist, as he had been Secretary of State during Mr. Poinsett's former mission to Mexico.

Mr. Poinsett's course while he represented this country in Mexico has been much criticised, and certainly the distracted condition of the republic while he resided there was such that no active policy he could have pursued, never mind what, would have escaped the violent censure of some of the partisans who were struggling to secure power and office. When he reached Mexico he found the public mind in a highly-excited condition. Although the country was nominally a republic, he soon discovered that the real power was in the hands of the aristocracy, who, supported by the clergy and the army, strove to keep the ignorant populace under their despotic sway. One of the peculiarities of the Mexican revolt against Spain up to that period had been the maintenance of the privileges and the riches of the Roman Catholic clergy without any diminution whatever, for a fanatical devotion to their religion has always been a striking characteristic of the mass of the Mexicans. Many of the revolutionary disturbances were led by priests, and all of them were more or less under their control. Whatever else the revolutionists changed, or desired to change, the Church with its power and wealth was left unharmed and untouched like the Ark in the wilderness: it was to all sacred. The Church retained through all these convulsions property which is said to have amounted in 1857 (when it was confiscated) to the enormous sum of three hundred millions of dollars, and of course the clergy from their position and organization with these means at their disposal became the most powerful body in the country. By the

time Mr. Poinsett arrived in Mexico the higher clergy had become tired of the revolutions which were incessantly disturbing their peace and threatening their security. They had become conservative, and eagerly allied themselves with those who sought to establish a stable government. The other conservative class was the large landholders, proprietors of vast *haciendas*, sometimes many square miles in extent, where they lived in a semi-independent state, defying any government which they did not choose to recognize, and, in short, enjoying the influence and possessing substantially the power of feudal lords. Indeed, so rooted is this system of holding land in the habits and ideas of the people of Mexico that to this day it remains almost wholly unchanged. The Church has been despoiled of its riches and privileges until now it is the poorest Catholic Church in Christendom; the country for a number of years has been without serious revolutionary disturbances; modern civilization in our sense has penetrated beyond the frontier; and yet this system of dividing the country among a few owners of large *haciendas* continues unchanged, and the proprietors exercise almost as much authority and influence now as they did in the palmy days of the Spanish viceroyalty. These two conservative bodies acting together had the entire control of the army in the support of their pretensions, while the genuine republican party, as we should deem it, was made up of a few enlightened men, many adventurers, and the mass of the populace in the large towns.

Mr. Poinsett thus found the Church and the State banded together in possession of the power on the one side, and on the other the discontented but true republicans, watching every opportunity and willing to risk even a revolution (which, of course, in all Spanish-American countries is an event far less grave than it would be with us) in order to snatch that power from them.

On his arrival the leaders of the opposition crowded around him seeking information and advice. It was natural that they should have done so, for to whom would they be likely to turn more readily than to the representative of

that great republic which had successfully surmounted those obstacles which appeared so formidable to those who were trying to establish in Mexico a system similar to that which had been adopted here? Mr. Poinsett gave the information, but declined to give the advice, as inconsistent with his duties as Minister. He could not, of course, help feeling that they, and not the party in power, were the true republicans according to the standard which prevailed in any of the countries in which he had passed his life. He had probably, too, a certain sympathy with them, for, like every true American of that day, he ardently desired the spread of republicanism everywhere, and especially upon the Continent of America, but he never forgot that he was not accredited to them, and that his business in the country was with the established Government and not with the opposition. He did no act which compromised his position, still his sympathy no doubt encouraged the discontented, and certainly did not aid him in negotiating the treaty which he was sent to Mexico to make. His position became a very difficult and embarrassing one, and many of the Government party became very hostile to him.

Meanwhile, the disaffected became more and more clamorous, and at last, in consequence of the armed resistance of the Government to the installation of Guerrero, whom its opponents claimed to have elected President, they broke out into open rebellion. With this revolt is connected an episode in Mr. Poinsett's career as Minister in Mexico which, as illustrating his cool courage and his chivalric nature, as well as the *prestige* of the American name and flag in foreign countries, is well worth repeating, although it is doubtless familiar to many. The revolutionists had determined to attack the National Palace, which is at one end of the principal street (that of San Francisco), while the Alameda, the public park, bounds the other. Having seized the Alameda, the barracks, and the artillery, the mob advanced along this street towards the Palace. The houses on each side were filled with Government troops, and many of them were known to belong to families of Spaniards, or

of persons supposed to be friendly to the Government. These houses were regularly besieged by the insurgents, and many of them were taken and destroyed. Mr. Poinsett's house was in this street, and while the conflict was raging, Madame Yturrigaray, the widow of a former Spanish Viceroy, who was his neighbor, with some of her friends, all Spaniards, sought the refuge and protection of the American Embassy. The insurgents advanced to attack the house, which they do not seem to have known to be that of the American Minister, maddened by the story that was told them that its proprietor had sheltered the hated Spaniards. They attacked the gates which enclosed the court-yard and clamored for the blood of their enemies. A musket-ball which came through the window lodged in Mr. Poinsett's cloak. At this moment Mr. Poinsett, accompanied by his Secretary of Legation, Mr. John Mason, Jr., took the American flag, and, advancing with it in his hand to the balcony of his house, displayed it for the first time before the eyes of the thousands who were thirsting for his blood because he had balked their vengeance. He told them who he was, and what nation that flag represented. Either because they recognized in that flag the emblem of the American power, or because some among them knew Mr. Poinsett as a diplomatist who had always been a friend of their leaders, they at once ceased their hostile attitude. The display of that flag by its courageous upholder in the streets of the City of Mexico changed at once the threatening temper of that wild mob, and soon after it dispersed.

Mr. Poinsett's affiliation with the Freemasons in Mexico proved a constant source of embarrassment to the success of his mission in that country. It seems that he had been long a member of the Masonic order here, and on his arrival in the City of Mexico he was welcomed as a visitor to the lodges with that cosmopolitan spirit of fraternity which is characteristic of the Masonic body everywhere. The Mexican Masons belonged to the "Scotch rite," while it seems that in the hierarchy of Masonry the "York rite" holds a higher rank. Mr. Poinsett explained this difference to his

associates, and told them, with that spirit of courtesy which never failed him, that if it was agreeable to them he would apply to the Masonic authorities in this country for a charter to establish lodges in Mexico who should work according to the "York rite." The charter was granted and the lodges duly organized under it. But, unfortunately, the persons elected as members of the new lodges were nearly all democrats, and opposed to the party in power. The old lodges and the new soon formed two political camps, and such was the bitterness and intensity of feeling at that time, that they were looked upon by public opinion rather as party organizations than as fraternal associations. Mr. Poinsett's well-meant efforts to extend the Masonic rule in Mexico was regarded by his enemies as an underhanded effort on his part to give aid and encouragement to the disaffected. When he found that he was being forced into the position of a partisan leader through his connection with this miserable squabble, he withdrew himself from all communication with both bodies. But the mischief was done, and his influence with the Government from that time was very much lessened.

Mr. Poinsett negotiated a boundary treaty with the Mexican Government and also a treaty of commerce, which was not ratified because it contained a stipulation "that all persons bound to labor taking refuge in Mexico should be given up to their legal claimants." This is a noteworthy event in the history of republicanism on this continent, for it shows that the Mexicans even at that early date were at least so far advanced in their political education that they were unwilling to enact a fugitive-slave law even to oblige the United States. It should be added, however, in order to show how little public opinion at that time in other parts of the world supported the pretension "that a slave could not exist on Mexican soil," that Mr. Ward, the British Minister, concluded about the same time with the Mexican Government a treaty of commerce similar to ours, omitting the stipulation in regard to fugitive slaves. When this treaty was submitted to Mr. Canning, then the English

Foreign Secretary, he sent it back to Mexico, refusing to ratify it until the Mexicans would agree to surrender not only fugitive slaves but also apprentices from the West Indies and deserters from the English army and navy.

The annoyances and vexations which Mr. Poinsett suffered in Mexico did not make him unmindful of the interest felt by people here in the wonderful curiosities, natural and archæological, to be found in that country. He learned how to propagatè olive-trees, and sent many cuttings to be planted in his own garden in South Carolina. He introduced into this country that well-known and truly splendid flower now called *Poinsettia*, of the order of *Euphorbiacæ*. He sent to the American Philosophical Society in Philadelphia the original manuscript and the drawings from which Captain du Paix had copied the materials for his magnificent work on the antiquities of Mexico, published in Paris in 1834. For a long time the ruins depicted in this work were regarded by the learned as antediluvian, an opinion which, by the way, has since been wholly disproved by Mr. John L. Stephens and other observers.

## II.

Mr. Poinsett asked for his recall in 1829, and his request was granted without difficulty. He reached this country at a very critical period, the era of the nullification excitement, and he prepared to take an active part in the controversy as the champion of the Union party of his State. On his arrival in Charleston he was received and welcomed by his friends without distinction of party as a man who had done honor to his native State. On inquiry he found that while a large proportion of the inhabitants both in the city and the State were dissatisfied with the duties levied by the tariff of 1828, they wholly disapproved of the violent measures proposed by the Nullifiers in order to resist their payment, but many of the leading men on the Union side seemed to doubt whether it was possible to stay the torrent which was sweeping the people of the State into an attitude of defiance against the General Government. Mr. Poinsett, however, was hopeful, and he tried to inspire hope in others. He suc-

ceeded so well that at the next election (in 1830), which was conducted by both sides with great energy, the Union party in the State was successful, electing a majority of the members of the Legislature. His associates in this conflict bear names identified with the history of Carolina as among the most distinguished of her citizens,—Colonel William Drayton, Judge Huger, James L. Petigru, Thomas S. Grimké, the Richardsons of Sumter, Judge David Johnson, Judge O'Neal, the Pringles, and a host of others. Mr. Poinsett was elected Senator from the Charleston district. In Columbia he met face to face with his late violent opponents, and although he and his friends maintained such pronounced opinions in favor of the Union, such was the character and bearing of the leading men on both sides, that the wide difference of sentiment between them led to no unseemly want of courtesy or even of cordiality in their personal intercourse.

The position taken by the Nullifiers in their controversy with the United States Government at the beginning, and consistently maintained by them to its close, was simply this: "That any one State may not only declare an act of Congress void, but prohibit its execution; that they may do this consistently with the Constitution; that the true construction of that instrument permits a State to retain its place in the Union, and yet be bound by no other of its laws than those it may choose to consider as constitutional." It is to be remembered that Mr. Calhoun and his friends whom he had convinced by his metaphysical subtleties always insisted that the doctrine of nullification was remedial only and not revolutionary, and that it was a reserved right (resembling the tribunitian power in Rome) on the part of each State, to be employed in the last resort to force the others to do it justice. Against such a colossal heresy, as Mr. Madison called it, the Union party, headed by Mr. Poinsett and his friends, protested with extraordinary vigor for more than three years, and they became, amidst many discouragements and much personal danger, the warm supporters of the General Government in its efforts to maintain its authority in

South Carolina as it did everywhere else throughout the country. It should not be forgotten, too, that the Union party was quite as much opposed to the provisions of the tariff of 1828 as their opponents, but they looked for a remedy to the methods prescribed by the Constitution of the United States itself, and not to the annulling of a federal law by the alleged sovereign power of one of the States.

The following sketch of the events of the "Nullification Era" in South Carolina, as it is called, written by Dr. Joseph Johnson, a friend of Mr. Poinsett and an eye-witness of most of the proceedings, seems so clear, accurate, and complete, and explains so fully Mr. Poinsett's connection with the movement, that we cannot do better than to present the life-like picture which he has drawn to the reader :

"The foreign Enemies of our Commerce were hostile to our manufacturing establishments, & tried to crush them by various means. One of their plans was to deluge the United States with the coarse fabrieks of their establishments. Protective Duties were imposed on all such importations. In some cases they were so heavy, as to exclude such articles altogether, & thus produced an effect on Commerce unlooked for & not intended. The freights of vessels returning from India & China were much reduced by the exclusion of these bulky articles, & their Profits diminished. The Southern States who were but slightly engaged in either Commerce or Manufactures, had liberally voted taxes for the encouragement of both, as national concerns. Their being willing to sacrifice so much for the public good, roused the manufacturers to impose much heavier Duties on most of the Articles of which the South was the chief Consumer. Many of those Articles were made to pay 40 ¢ on their first Cost, & the Southern Orators in their declamatory addresses inflamed the minds of their hearers by asserting that this was taking from them \$40 out of every \$100 which they earned by their daily labour. Mr M'Duffie insisted that the Genl Govern<sup>t</sup> imposed on the South these unequal and unjust Taxes to oppress them, & by these imposts took from every Cotton Planter, forty Bales of every hundred that he could send to market. This was called M'Duffie's forty Bale Theory, & many believed it. In vain was it explained to them by the Union Party, that this was an exaggerated

statement of the grievances which no one in the South approved. In vain was it showed to them, that if this were true, they would now be obliged to pay from one third to one half more for their blankets Clothing, Salt, Sugar, Tea & coffee than they had always been accustomed to pay. They all used, they all bought, they all knew the former cost of such things, & could readily say whether they now paid more for them, in any thing like that proportion stated by Calhoun, Mc'Duffie, Hamilton, Hayne, Turnbull & others of their public men. That as to the inequality of the Impost, it was not possible to impose any Tax that might not bear unequally on some State or States, according to its or their peculiar habits or fashions. That every act of Congress extended alike over every State in the Union, & all had equal rights to establish the Manufactories favored by these imposts. That they were not imposed to favor any portion of our common Country, but to protect all the U. States against foreign Nations, & prevent them from crushing our infant establishments by their overwhelming Capital, their greater practical skill & experience, & the improved construction of their machinery. That the South had an equal right with the North to profit by these regulations, & instead of disputing about them with the North, to go & do likewise, to establish similar manufactories, and avail themselves of their black population—the cheaper description of operators. The public mind became more & more excited against these heavy imposts, which unquestionably bore unequally on the South, as they were not manufacturers of the protected articles; & at the ensuing election the Nullifiers prevailed by majorities in both branches of the Legislature.

“In 1828 at the Annual Meeting of the Legislature, a Com<sup>tee</sup> was appointed to consider & report on Governor Taylor's Message in reference to the Tariff. A resolution was adopted ‘That it is expedient to protest against the unconstitutionality & oppressive operation of the System of protecting duties, & to have such protest entered on the Journals of the Senate of the United States. Also to make a public exposition of our wrongs & of the remedies within our power, & to communicate them to our Sister States, with a request that they will cooperate with this State in procuring a repeal of the Tariff for protection, & an abandonment of the Principle, & if the repeal be not procured, that they will cooperate in such measures as may be necessary to arrest the evil.’

“This select Com<sup>tee</sup> consisted of James Gregg, D. L. Wardlaw, Hugh S. Legare, Arthur P. Hayne, W<sup>m</sup> C. Preston, Will<sup>m</sup> Elliott, & R<sup>t</sup> Barnwell Smith. They reported an Exposition & Protest which was adopted on the 19<sup>th</sup> of Dec<sup>r</sup> 1828, ordered to be printed & appeared in Pamphlet form early in 1829. These Pamphlets were diffused far and wide, read by most people of reflection, & commented on in all the public journals, variously according to the various opinions of their editors or Patrons. The Report admitted that a Tariff on Imports may be so arranged as to encourage manufactures incidentally, by imposing duties for Revenue, on articles now manufactured within the U. States: but asserted that the Tariff of 1828 was not so arranged; that it was unequal and oppressive on the South & S<sup>o</sup> Western parts of the Union, and was not necessary for Revenue, but declared to be for the promotion of manufactures. That the Protective System is therefore unjust, Oppressive, & unconstitutional; imposing such Duties on Commerce & Agriculture, for the avowed purpose of promoting manufactures: & imposing them on the South to favor the interests of the North. That it was unconstitutional, as it was not imposed for the purpose of raising a Revenue, & ought to be resisted. That each State in the Union is a Sovereignty, & has as such a perfect right to judge for itself the violations of its Rights, & a perfect right to determine the mode & measure of its resistance. That in the present case Nullification is the rightful Remedy, & if properly carried out, is sufficient to protect South Carolina from the unconstitutional proceedings of Congress. ‘They therefore solemnly protest against the System of protecting Duties, lately adopted by the Federal Government.’

“No further measure was taken, at this session of the Legislature, but the subject continued to agitate the public mind, & the discussion was kept up with zeal & animation on both sides. The Union men urged that whatever may be the weight or inequality of the Tariff, they felt it in an equal degree with their fellow Citizens of the other party. That they too had endeavored to prevent it from being imposed to the present extent, but now that it was imposed, resistance by force or unconstitutional measures, would only make things worse, & perpetuate the evils of which they complained. That in 1816 M<sup>r</sup> Calhoun & other influential Southerners, with the best of motives, had brought forward this System, & imposed prohibitory Duties on Coarse Cotton Fabrics, usually imported from India, by which the Shipping

Interests of the North had suffered heavily. That although they complained, they did not resist an Act of Congress, imposed for the protection of manufactures of that description. Some of them withdrew a portion of their Capital from Commerce & united in extending manufacturing establishments of various descriptions. They now find that these new & finer fabrics require protection in proportion with the first & coarser kinds.

“In these great changes the North did not all concur; they who had first ventured, feared that they would be sufferers by the great competition in their own markets, & the value of their Stock on hand be depressed. A meeting of Merchants & Manufacturers in Boston was held in Nov<sup>r</sup> 1827. They showed how much they were opposed, and on what strong grounds to such sudden & such great Changes; such interference by Congress in the Concerns of Trade & manufactures. The Union men concurred in the impolicy of such measures as were pursued, but as to their being unconstitutional, there were strong grounds for a different opinion. That in the Administration of Gen<sup>l</sup> Washington in a Congress mostly composed of those who had been members of the Convention, in which that Constitution had been framed, discussed & adopted; the second Act of that Congress, had the following Preamble ‘Whereas it is necessary for the support of Government, for the discharge of the Debts of the U. States, & for the protection & encouragement of Manufactures, that Duties be laid on Goods, Wares & Merchandise be it therefore enacted.’ This Act was sanctioned & signed by President Washington & its principles adopted. Although the Federal Party lost their influence at the close of M<sup>r</sup> J. Adams’ Administration, this doctrine of Protection to Manufactures continued among the Democrats who succeeded his Administration, & was advocated by Jefferson, Madison & Monroe.

“Gov<sup>r</sup> Miller’s term as Governor of S<sup>o</sup> C<sup>a</sup> passed off with some increase in the proportion of Nullification Representatives & in his declaration of ‘the Right to Fight.’ The other Southern States appealed to in the exposition of S<sup>o</sup> Carolina would not countenance or unite with them in Nullification doctrines. It was demonstrated that such Duties were paid by the Consumers of the Articles thus taxed, and by each portion of the Union in proportion to the population of such Consumers in that portion. That the Northern portions were much more populous than the South, & the adjoining States to S<sup>o</sup> C<sup>a</sup> much more populous than herself, therefore

greater consumers in proportion & that they would not unite in her Crusade. They considered S<sup>o</sup> Ca<sup>a</sup> too sensitive of her grievances, and trusted that these however oppressive and offensive could be & would be remedied by constitutional measures much better than by force. That as to the *Perfect Sovereignty* of the State—this existed previous to the adoption of the Federal Constitution, but a part of it was then given up by each State to the Federal Government, to obtain their Guarantee of all their other public & private Rights. Under that Constitution all the States yielded their Sovereign Rights to enlist Troops, to declare & carry on War; to make Peace; to negotiate Treaties with foreign nations; to regulate Commerce; to coin Money; to issue Bills of Credit; to establish a Federal Court; & to impose Duties & Taxes on Goods, Wares & Merchandise. The obligations thus assumed by the Federal Government on the grant of these powers, embraced yet another viz that all the States should possess equal rights and privileges; and this carried with it an Obligation to prevent any State from assuming Rights & Privileges not enjoyed by all or any of the Rest. That the Federal Gov<sup>t</sup> was thus bound to prevent S<sup>o</sup> Car<sup>a</sup> from enjoying her assumption of Rights, under the Nullification Acts & Ordinance.

“James Hamilton J<sup>r</sup> was elected Governor in Dec<sup>r</sup> 1830. The so called American System continued in its strength, notwithstanding these statements & remonstrances, & on the 14<sup>th</sup> of July 1832 an Act was passed called an Amendment of the Tariff. It indeed altered some of the Imposts by increasing those on articles consumed in the South, & reduced those only that were mostly used in the North. It was still more oppressive on the South & rendered the dissatisfied desperate. In Octob<sup>r</sup> Gov<sup>r</sup> Hamilton issued a Proclamation convening an Extra Session of the Legislature of S<sup>o</sup> C<sup>a</sup>. They met accordingly on the 22<sup>d</sup> Octob<sup>r</sup> 1832 & the Governors message was delivered on the same day. In it he says, ‘The Tariff Act of 1832 is in point of Fact a Law by which the consumption of the manufacturing States is nearly relieved of all burdens on those Articles which they consume & do not produce, & under the provisions of which they are secured in a bounty, on an average of more than fifty  $\text{¢}$  on the productions of their Industry, whilst it taxes our consumption to an equivalent amount, & the exchangeable value of our products in a much more aggravated ratio.’ ‘Articles of Luxury are selected as the Objects of comparative exemption from all burden, whilst those of

necessity bear nearly the whole brunt of the Imposts. Iron, Cotton & Woolen fabrics, Salt & Sugar are burthened with a Tax quite equivalent to an average of seventy five  $\frac{3}{4}$  C<sup>t</sup> on the first Cost; whilst the Teas, the Coffees, the Silks & the Wines of the Rich, enjoy a most unjust discrimination in their favor. Levying at least three fourths of the whole amount of the Federal Revenue on the industry of the Southern States.' He concludes by recommending the immediate call of a Convention, 'as it was in every respect desirable that our issue with the General Government, should be made before the meeting of Congress.'

"An act was accordingly passed, ordering an election of Delegates to a State Convention. 'The number of Delegates from each election District, to be the same as the present number of Representatives and Senators in the Legislature united.'

"The ratification of the Convention Bill was followed in Columbia by a discharge of Cannon and Music from a Band, but the Band (*mal à propos*) struck up 'Yankee Doodle.'

"The Union Party in S<sup>o</sup> Car<sup>a</sup> very properly considered this Convention of the State a Critical movement, pregnant with dangerous consequences. They therefore also called a convention of the Union Party to be held at the same time & place. The Members of the two Conventions met accordingly in their separate Places; they eyed each other with suspicion at meeting in the Street, bowed coolly but politely & were evidently on the watch if either should commit itself by intemperate or illegal acts. The Union Members of the State Convention offered objections to the legality of its constitution—the members having been elected as if for Taxation representing Property & persons not as Delegates from a People in a primary Assembly. But this & all other difficulties were promptly overruled by the opposite Party, who followed their leaders. An Ordinance was accordingly ratified 'for Arresting the operation of certain Acts of the Congress of the U. States, purporting to be laws laying duties & impostos on the importation of Foreign Commodities.' To this Ordinance was attached an address to the people of S<sup>o</sup> Car<sup>a</sup> said to have been written by Rob<sup>t</sup> L. Turnbull Esq<sup>r</sup>;<sup>1</sup> and another to the people of the U. States written by Gen. McDuffie & prefixed to the whole was an exposition

<sup>1</sup> "In this he announces 'We have resolved that until these abuses shall be reformed, no more Taxes shall be paid here.'"

or Introduction written by Gen<sup>l</sup> R<sup>t</sup> Y. Hayne. The Ordinance itself is said to have been drawn up by Judge W<sup>m</sup> Harper. It was signed by Gov<sup>r</sup> Hamilton & by all the State Rights' Members of the Convention 136 in number. The Legislature met in a few days after the Ordinance was published. Gov<sup>r</sup> Hamilton's Message urged on them the duty of providing for enforcing that Ordinance.

"They accordingly passed the Replevin Act—To carry into effect in part an Ordinance to Nullify certain Acts of Congress & C & C—Also 'the Test Oath Act' by which all Officers Civil & Military, were required to take the Oath or lose their Offices. Also An Act to regulate the Militia, & another to provide for the Security & protection of the State of S<sup>c</sup> Carolina.

"These energetic Measures did not proceed without exciting suitable attention & corresponding measures, both in the Union Party of S<sup>c</sup> Car<sup>a</sup>, & in the heads of the Federal Govern<sup>t</sup>. The Administration employed agents in Columbia who silently condensed the transactions of each day & sent the dispatch off every night to Wash'gton, under cover to a person or name there, who was unknown or could not be suspected. The Union Convention continued its meetings also in Columbia, & on the 14<sup>th</sup> Dec<sup>r</sup> 1832 adopted an address & series of Resolutions exposing the illegality & injustice of the measures lately adopted by the Party in power. Among many other objections it declared those measures not only *revolutionary* but essentially *belligerent*, & that the Natural consequences would be *Disunion & Civil War*. That it betrays all the features of an odious Tyranny to those Officers Civil & Military, who holding their appointments legally, according to the Laws & Constitution of S<sup>c</sup> Car<sup>a</sup>, were suddenly excluded, without impeachment, trial or conviction, by the new imposition of a Test Oath. To the members of the Union Party opposed to these Nullification Measures, who amount to the respectable Minority of more than 17,000 votes these measures are equally despotic, oppressive, & impolitic. These measures produce irreconcilable opposition, in the bosom of their own State, with that large & respectable Minority, who being equally opposed to the oppressive Tariff, cannot unite in such measures to effect its repeal. 'Disclaiming all intention of lawless or insurrectionary violence, they hereby proclaim their determination to protect their Rights by all legal & constitutional means, unless compelled to throw these aside by *intolerable oppression*.' This document was published with the signatures of 182 of the

Union members, headed by their Presid<sup>t</sup> the Venerable Thomas Taylor of Columbia.

“The Inaugural Address of Gov<sup>r</sup> Hayne on the 10<sup>th</sup> Dec<sup>r</sup> 1832 was in his usual fluent & happy style but replete with denunciations against the Federal Govern<sup>t</sup> & vaunted State Rights & the perfect Sovereignty of South Carolina. He then told the assembled Senate & House of Representatives, that it was their Duty to provide for carrying fully into effect the Ordinance of the Convention & defend it with their lives.

“The Legislature accordingly proceeded to pass the following Acts:

“An Act concerning the Oath required by the Ordinance passed in Convention at Columbia on the 24<sup>th</sup> day of Novemb<sup>r</sup> 1832, which imposed the Test Oath on all Officers, Civil & Military, in S<sup>o</sup> Carolina.

“An Act to carry into effect in part, An Ordinance to nullify certain Acts of the Congress of the U. S., purporting to be Laws laying Duties on the importation of foreign Commodities, from & after the 1<sup>st</sup> day of Feby 1833.

“An Act to provide for the security & protection of the People of the State of S<sup>o</sup> Carolina, by which the Governor was authorised to accept Volunteers & to call out the Militia for the purpose of resisting any attempt of the Federal Government to enforce the payment of Duties on importations, either by an overt act of coercion, or by an unusual assemblage of naval or military forces, in or near the State. Also to authorise a Replevin on all such seizures by officers of the Federal Government.

“On the receipt of these Documents, Presid<sup>t</sup> Jackson issued a Proclamation to the people of S. Carolina & sent a message to the two houses of Congress. In the Proclamation he appeals to their Reason, Patriotism, & Sense of Propriety, & then declared his determination to enforce the Laws of the U. States notwithstanding the measures adopted in S<sup>o</sup> Carolina. It was dated 16<sup>th</sup> Jan’y 1833, very ably drawn up & believed to have been written by the then Secretary of State Edward Livingston. The Legislature of S<sup>o</sup> Carol<sup>a</sup> being then in Session, Gov<sup>r</sup> Hayne sent them these Documents from Washington & with them, his own Proclamation. The House of Representatives in S<sup>o</sup> Car<sup>a</sup> referred the whole to their Com<sup>tee</sup> on Federal Relations, & adopted a series of Resolutions, commenting on the Course of Proceedings & confirming their own determination to resist. Having received lately about \$200,000 from the Fed<sup>l</sup> Govern<sup>t</sup>,

as a balance due to S<sup>o</sup> Car<sup>a</sup>, the Legislature voted the whole of it for the purchase of Arms & other Munitions of War.<sup>1</sup>

“Here then was S<sup>o</sup> Carolina completely at issue with the Federal Government, both arming for attack & defence. Presid<sup>t</sup> Jackson ordered seven Revenue Cutters & the Sloop of War Natchez Com: Zantzinger to rendezvous in Cha<sup>t</sup>on Harbor—the whole under the command of Commodore Elliot. He likewise ordered 700 additional U. S. Troops to rendezvous at Cha<sup>t</sup>on & garrison the Forts, all of which were in possession of the Gen<sup>l</sup> Govern<sup>t</sup>: the whole were under the Command of Gen<sup>l</sup> Scott. A Company of U. S. troops had for five or six years occupied the Citadel in Cha<sup>t</sup>on. They were called upon to give it up, & they promptly complied. The Officers of the State & of the General Govern<sup>t</sup> were polite to each other, but it was otherwise with the two parties of the Inhabitants, the Union men & the Nullifiers. They had many irritating occurrences at their Elections—blows & broken heads were not uncommon, & some Duels occurred. When Volunteers were called out by the State to ‘suppress Insurrection & Treason, they knew that such charges could not apply to the Govern<sup>t</sup> Troops; & that however unjust to the Union Party hitherto, they now felt that they must enrol themselves for self protection. They appointed a Central Com<sup>tee</sup> of which M<sup>r</sup> Poinsett was the Ch<sup>r</sup>man. The military divisions were soon arranged, the Officers selected, & the places of rendezvous assigned to each Company. A sufficiency of arms & ammunition was obtained from Gen<sup>l</sup> Scott, & distributed subject to the call of the Union Officers respectively. Both Parties had their separate respective places of meeting, for harmonious consultation & arrangements. One of these Places occupied by the Union men was conspired against by a large body of the Nullifiers & the entrance surrounded at night. Several of their most respectable leaders tried to prevent it but could not,—the public mind was much excited; they sent to M<sup>r</sup> Poinsett apprising him of it, asking him to persuade his friends to retire by a different entrance from that in common use, but M<sup>r</sup> P. returned an Answer that they would defend themselves if assailed. Anticipating

<sup>1</sup> “In conformity with Gov<sup>r</sup> Haynes Orders, the Adj<sup>t</sup> General John B. Earle issued his proclamation for Volunteers ‘to suppress insurrection, repel invasion & support the Civil Authorities in the execution of the Laws.’ The Governor likewise issued Circular Orders to each Regiment to examine & Report suitable Depots for Provisions & C, on the most direct routes from their several Muster Grounds towards Charleston.”

such an occurrence, he had provided strips of white Cotton to be tied on the right arm of each Union man, that they might be known to each other in a *mêlée*; he also provided from a Coopers Shop the but ends of their hoop poles as Sticks to arm his party. He & Col W<sup>m</sup> Drayton were appointed by acclamation for the Command, & they selected other persons as Lieu<sup>ts</sup> to command each a Squad. These arrangements were soon perfected, & the Union Party marched out three abreast in fine order. Marching up King Street they found themselves followed by the crowd of Nullifiers, that they had passed at the place of their meeting. The Union Party halted, formed across the Street, & demanded that their opponents should immediately disperse or they should be attacked by the Union men. The Nullifiers did accordingly disperse, but there were among them many disposed to be mischievous. While the two parties were facing each other almost within reach, three of the Union Leaders Mess<sup>rs</sup> Petigru, Drayton & Poinsett, each received a blow, but from unknown hands who immediately sneaked into the crowd for concealment; The Gentlemen were not much hurt.

“The Union Party found it necessary to establish Ward Guards for mutual protection & self defence, & these too were assailed. On one occasion the Nullifiers succeeded in surprising the Union station, & beat & ill-used the Occupants; On four other occasions they were repulsed, & in one of the four a single gun loaded with small shot was fired into the midst of them before they would retire; some few felt it & it was a hint to the rest, but it did no harm. In these collisions the Officers & Leaders of the Nullifiers tried in good faith to prevent them, & sooth the angry feelings on both sides; but in order to keep up a distinction; they recommended that their men should all wear in their hats a light blue Cockade, of a Conical Shape—called the blue button.

“The vessels of the Government were stationed thus; the Sloop of War Natchez within grape Shot of the Battery south of East Bay, & the Cutters about Cablelength from each other in a line North of the Natchez; except One of them the Polk under Captain Jackson which lay in the Anchorage between Forts Moultrie & Castle Pinckney. While lying in this position, the Armament & discipline of a Man of War became an Object of Curiosity to the Ladies & Gentlemen of Charleston. At certain hours of each day, they were politely welcomed on board, and every

part of the Ship freely thrown open to them. No distinction was made between those of the two Parties, unless when a blue button appeared, & then the Officers of the Ship were very polite to the wearer (an acknowledged Nullifyer). The Visitors on board were entertained with Promenades about the Decks, & then with Music, Dancing & Refreshments, Fruits, &C. The Guns of the Forts were understood to be well found, & ready for action if necessary, with Mortars in Castle Pinckney for throwing Shells into Charleston, whenever hostilities might commence. A Battery of heavy Cannon was likewise constructed N<sup>o</sup> East of the City on Smiths Wharf, then hired as a Naval Station, & the Guns pointed against the Citadel & against the Causeway in Meet'g S<sup>t</sup> Road, by which it was understood that the State troops would be marched into Cha<sup>t</sup>on, & stationed at & in the Citadel.

“The Nullifyers & State Authorities were likewise preparing for the *Ultima Ratio*, under their Laws & Ordinances. Arms, Ammunition & Provisions were provided & distributed to the different selected Stations in & out of Charleston, except where from the election returns, it was found that a Majority of the Union Party unquestionably existed. Volunteers were accepted, armed, & trained in all the other portions of the State, & held under Orders that they should be ready at a moments warning, to march into Cha<sup>t</sup>on which it was well understood would be the battle ground in case of hostilities. Among those organized in Cha<sup>t</sup>on was a body of Artillerists under Col. J. L. Wilson, who had a battery of heavy Cannon on Magwoods Wharf commanding the rear of Castle Pinckney, the channel of Cooper River, & Hog Island Channel. By means of the Test Oath they had got clear of many of the Militia Officers in the low & middle Country, who as Union men had refused to take that Oath, & their places had been supplied with enthusiasts in their Cause. The State Officers held all the Stores, depots & arms in every part of the State, the northern & eastern Districts excepted. Here, the majority of Union men was so great that the Officers either refused to resign, or if they resigned were sure of being reelected.<sup>1</sup>

<sup>1</sup> “About this time many strangers were in Charleston & among them some attracted by curiosity, to witness the impending events. At the Balls which were then given, Ladies of both parties were invited reciprocally; some of them attended each others parties & were welcomed with polite attentions; the Gentlemen were much more shy of each other. On one occasion a gallant young Nullifyer exclaimed ‘The ladies are all for Union—to a man.’ Not all said a young Lady

“At this Crisis another effort was made to prevent the payment of Duties on imported Goods. A fast-sail’g vessel was expected in Port, & her owner agreed to try & force her up to the Wharves where her cargo might be rapidly landed & dispersed before the Custom h. Officers could have the means of preventing it. Orders had been issued to Cap<sup>t</sup> Jackson of the Cutter Polk, to bring every vessel to Anchor arriving from a foreign Port, until a signal was made from the Custom H— that the Duties had been secured according to Law. One of the Pilots was engaged to run up this Vessel to the City notwithstanding the opposition of the Revenue Cutter. He accordingly disregarded the Revenue Cutter & crowded all sail to pass up. Cap<sup>t</sup> Jackson pursued & overtook her but the Pilot would not obey his Order to come to. He then ran the Cutter along side & leaped upon the Ships deck; still the Pilot held his course, & did not quit the helm until he saw the drawn sword of Cap<sup>t</sup> Jackson raised against his life. The Ship was then put about, brought back to her place of anchorage, & detained there until the Duties were secured, & a signal given from the Custom house to allow her to pass up. One of the State Rights Party was overheard saying—‘they are too strong for us, but we must strike a blow, we may still take one of their Forts or Vessels, & will do so before we surrender.’ Notice of this intention was given to the U. S. Officers that they might not be taken by surprise. Accordingly in a dark night a large Canoe fitted for 12 or 14 Oarsmen was observed rowing up astern of the Cutter Polk, as she lay at anchor, with her netting all hoisted & her watch on the look out. Only a few men appeared rowing the boat who on being hailed answered like Country negroes, and were ordered off. They however pulled the stronger in the same direction, until threatened to be fired into. They then perceived that the matches were lighted, the lanterns burning, & the boarding Nets hoisted, and the Cannon pointed at the Canoe. They then rowed off and reported progress.

“One of the most talented & influential of the State Rights leaders, not satisfied with the representations that every thing had been tried in vain, came down from Columbia to see & judge for himself. He went on board of the Natchez with

promptly. I will have nothing to do with the Union. But said a friend at her elbow, you know that you would like to *capture* that handsome U. S. Officer. . . . Oh said the fair Carolinian, I only wish to bring him over to our side; to *your own side* you mean, rejoined her discerning friend.”

others, & thought with reason that everything was there put in order for the public eye. He also hired a boat & went about the harbour inspecting the location & state of preparation, at different times of day & night. In one of these trips, he passed close to the Natchez while all were under arms, & practising a Sham-fight, or naval engagement. They were all at the moment repelling supposed boarders; with the Netting hoisted, a part of the Crew were thrusting their boarding Pikes through it; some were working the Cannon with lighted matches,—the Marines were firing in Platoons from the Quarter Deck & Tops, while others on the Spars were ready to light & throw their hand Grenades. The Gentleman was perfectly satisfied & in a few days the Circus Meetg was convened.

“The Central Com<sup>tee</sup> had frequent consultations with the Army & Navy commanders on various interesting subjects; concerted with them the Signals to be given & returned on various occurrences, & what would be expected of the Union Party in case of an attack. It was agreed that in such an event the Union Party should seize the Alarm Gun & Church Bells, & take possession of the Guardhouse. It was also agreed that if unable to hold the City, they should seize on the Peninsula of Hampstead about a mile N<sup>o</sup> E. of Cha<sup>ton</sup> & intrench themselves there.

“The Central Com<sup>tee</sup> had also frequent confidential meetings by themselves. On one occasion a measure was proposed, which at first view appeared very plausible to several of them. M<sup>r</sup> Petigru prudently remarked that they should be very careful to keep their proceedings within the Law. That this was their surest protection against the other Party, who would probably commit themselves by some hasty or lawless Act. This observation probably led to the appeals made to the Courts of Law for cooler considerations, all of which resulted against the nullifying or State R<sup>t</sup> Party. The first of these was on a Custom-house Bond given for the Duties on an importation of “plains.” The Signer & Securities of the Bond objected to the payment on different Pleas, wishing the question of their liability to be submitted to a Jury, which Jury would not decide in favor of the U. S. Government. The cause was very ably argued before Judge Lee U. S. Dis<sup>t</sup> C<sup>t</sup> by the Dis<sup>t</sup> Atty. Gilchrist & M<sup>r</sup> Petigru against such reference; & advocated by W. P. Finley & Geo. M<sup>c</sup>Duffie. The Judge decided against the Pleas—the handwriting of the different signers on the Bond was then proved, & a verdict given in favor of the Govern<sup>t</sup>.

An appeal was entered, & all the notes, proceedings & arguments submitted to Judge W<sup>m</sup> Johnson, then in bad health in North Carolina. He confirmed the decision of Judge Lee, & the Bond was finally paid. This was a Trial of great interest to both Parties. M<sup>r</sup> M<sup>c</sup>Duffie of very high reputation for talents, was sent for & came down from Abbe-ville to engage in the defence, & M<sup>r</sup> Petigru volunteered in behalf of the Union Party to aid M<sup>r</sup> Gilchrist the then District Attorney in prosecuting the Suit.

“Two other causes arose in the State Circuit Courts, & were both carried by appeal up to the Supreme Court. These both originated in the Test Oath Act. Both were argued ably in Columbia at the Court of Appeals. Judges O’Neal & Dav<sup>d</sup> Johnson decided against the constitutionality of the Test Oath. Judge Harper was in favor of it, but did not enter upon much argument on the subject.

“It will be recollected that in the Ordinance of the Convention & in the Act of the S<sup>o</sup> Car<sup>a</sup> Legislature dated Dec<sup>r</sup> 1832 it was provided that no Duties should be paid on Importations from foreign Countries into S<sup>o</sup> Car<sup>a</sup> after the 1<sup>st</sup> Feby 1833. These were published as the Laws of S<sup>o</sup> Car<sup>a</sup>, which none could violate with impunity, & none but the Courts of Law could set aside. Notwithstanding the formality & force of these enactments, a number of the State Rights Party in Cha<sup>tn</sup> resolved to hold a Meeting of their Associates on the 21<sup>st</sup> Jany 1833, only ten days preceding the time appointed by the high Authorities of the State, for resisting the Power of the Union in collecting the duties on such importations. That informal Party meeting resolved that such resistance was inexpedient at that time, & must be postponed until the adjournment of the next Congress. That meeting of only a part of the State Rights Party, resolved to nullify the proceedings of their whole Party, in the Convention & in the Legislature, & to suspend the execution of their enactments; & this nullification was acquiesced in by the rest of their party.<sup>1</sup>

<sup>1</sup>“A direct attempt to evade the payment of Duties to the Government about this time was made by Gen<sup>l</sup> Ja<sup>s</sup> Hamilton. He shipped some of his own Rice to Havannah & ordered the proceeds to be returned in Sugar. The Sugar arrived & the Vessel was brought to anchor in the appointed place, by the Vigilant Captain of the Cutter. Gen<sup>l</sup> Hamilton would not enter or bond it, or pay the Duties hoping that it would be landed in Cha<sup>tn</sup> & he obtain possession by *some means*. But M<sup>r</sup> Pringle the Collector arranged it otherwise, he ordered the Sugar to be landed on Sullivan’s Island & stored in Fort Moultrie in one of its arched entrances. Hamilton had been heard saying to some of his Adherents,

“At this time the State of Virginia resolved to mediate & appease the dissensions in S<sup>o</sup> Car<sup>a</sup>, & sent for that purpose one of her most distinguished Citizens Benj<sup>a</sup> Watkins Leigh to bear the Olive Branch. He arrived on the 4<sup>th</sup> Feby & proceeded with great tact & judgment. He was kindly & courteously received by both of the contending Parties, & mediated personally with the most distinguished leaders on both sides. Great deference & respect was paid to him not only for his personal worth, but as an especial Messenger from the State of Virginia. It was accordingly arranged that another Convention should be convened, & that no violent measures should be pursued in the interim. The Convention met accordingly on the 11<sup>th</sup> March 1833 & Gov. Hayne brought the business before them by inclosing the friendly & flattering letter which he had received from M<sup>r</sup> Leigh—Commissioner from Virginia. This was referred to a Com<sup>tee</sup> of 21, who promptly reported an Ordinance repealing the Ordinance of Nov<sup>r</sup> 1832, & this was adopted by the Convention. But many of the members could not divest themselves of the irritation long entertained, & of their purposes defeated. These were leveled against the Union Party, & of their sense of obligation of allegiance to the Federal Government. Some warm discussion ensued & some intemperate expressions used, but the majority concurred in accepting M<sup>r</sup> Clay’s Bill which had passed in Congress, as a compromise of their difference with the Federal Government.

“But as to the Law imposing a Test Oath, the State Rights Party were disappointed in its validity by the decisions of the Courts. They therefore determined so to amend the Constitution as to require of every one holding an Office, that he should previously take an Oath that his Allegiance to S<sup>o</sup> Carolina would be considered by him paramount to all other obligations. A clause to this effect actually passed the Legislature in Nov<sup>r</sup> 1833 but as an Amendment of the Constitution, it was necessary that the same should be reconsidered & ratified at another session of the Legislature. The prospect of this becoming a part of the Constitution alarmed the Union Party in S<sup>o</sup> C<sup>s</sup> particularly in the Northern parts of the State, lest they should be involved by it in Disunion, & cease to be Citizens of the United States, or fail to be protected in case of need by the Federal Gov<sup>t</sup>.

‘We will have to fight for that Sugar.’ He no doubt hoped for some opportunity to do so, but none offered & after the Compromise he paid the Duty & *storage*, on which the Sugars were given up to him.”

The Union Party determined to resist this change in the Constitution, & if it should finally pass, that they would appeal to arms in defence of their Rights as American Citizens. Spartanburgh was appointed as their place of Rendezvous, & in this state of anxious suspense they awaited the Legislative Action. The Central Com<sup>tee</sup> determined to try the effect of personal influence, talent & address to prevent the impending evils of Civil War. They appointed Mr J. L. Petigru & Col. R. Blanding to meet their former friends at the Session in Columbia and prevent if possible the contemplated enactment. They attended accordingly & in personal interviews and conferences with Gen<sup>l</sup> Ja<sup>s</sup> Hamilton & other influential persons of the State Rights Party, they finally succeeded but with great difficulty. The Clause adopted at the previous meeting of the Legislature as an amendment of the Constitution, was insisted on by its former advocates, it could neither be rejected nor altered, but they consented that the following Proviso should be appended as a part of it. 'Provided however that nothing expressed in the above obligation shall be construed to impair the Allegiance of any Citizen of S<sup>c</sup> Carolina to the Federal Government.' Or words to that effect, for by some obliquity in the Record or in the Publication of the Laws, this Proviso has not been printed with the Ratification.

"Both parties assented to this compromise Peace was again restored to S<sup>c</sup> Carolina & Gen<sup>l</sup> M<sup>d</sup>Duffie was elected Governor in Dec<sup>r</sup> 1834."

The foregoing account presents a vivid picture of the position taken by the Union men in South Carolina during the Nullification excitement. Nothing is more remarkable about it than the spirit of obedience which they showed for the supreme law of the land, because it was the law, and their determination to appeal for relief to the law only as it had been administered among them from the period of the adoption of the Constitution, as well as their unwillingness to rouse revolutionary passions in the conflict. The action of their State had not merely made void an act of Congress,—creating an alleged grievance from which the rest of the country suffered in common with them,—but its effect was to deny them the protection of their own courts and virtually to disfranchise them. Under these trying circumstances they were bold but not boastful, and, unmoved by the clamor of

their former friends and neighbors, they formed the strongest support to the General Government when it put forth its strong arm to help them. A good deal of their forbearance and determination to confine their action within the strict limits of the law was due to the personal character of their leaders. They belonged to the very *élite* of that social aristocracy which held undisputed sway in Carolina up to the period of the war of the rebellion, and their opponents, whose chiefs were of the same class, and who had known them well during their whole lives, always recognized not merely the force and earnestness of their convictions, but also their personal courage and the perfect purity and integrity of their motives.

In considering their methods of resistance to the lawless acts of the Nullifiers, the first question for the Union men to determine was how far and in what way they would be supported by the General Government. All parties in South Carolina had concurred in voting for General Jackson as President in 1828, and he was well known at that time to have favored the enactment of a tariff law which would levy only such an amount of money as would suffice to defray the expenses of the Government and pay the interest on the public debt. The intending Nullifiers during the year 1830, well knowing General Jackson's opposition to the "American system," as it was called, spread far and wide the report not only that the President and many of his personal and political friends sympathized with them in their opposition to a protective tariff, but also that he would hesitate to execute a Federal law in South Carolina which the people of that State should declare to be inoperative within her borders. The first thing, therefore, naturally was to ascertain the exact position of the President on this question. Mr. Poinsett, as their leader and organ, accordingly wrote the following letter to President Jackson :

"CHARLESTON 23 Oct. 1830

"DEAR SIR

"When we parted at Washington in May last, I mentioned to you, that I was returning to Carolina in order to

oppose, by every influence I might possess there, the strange and pernicious doctrines advanced by some of the leading men of our state and which, if not counteracted might lead to the most serious and fatal consequences. On that occasion I understood you to say, that you regarded them as 'utter madness;' and I left Washington in the firm conviction, that I was acting in conformity with your wishes and for the good of our common country in controverting doctrines, which I regard as subversive of the best interests of that country, and in declaring myself opposed to principles which, if they could be detected in the letter or spirit of our constitution by any subtlety of the human intellect, would render that instrument a worthless document, would entirely destroy the practical utility of our confederation and convert our bond of union into a rope of sand.

"On my arrival in Columbia, where I went in order to ascertain the extent of the evil, and that my sentiments might be more generally known throughout the State, I found the public mind poisoned by the opinions uttered at Washington by our leading politicians there, and by the pernicious doctrines of the President of the College, D<sup>r</sup>. Cooper, whose talents and great acquirements give weight to his perverse principles, and make him doubly dangerous. On conversing confidentially with several old and valued friends in that place I found that they too, deprecated the measures proposed to be adopted as a remedy against the operation of the tariff law; but regarded opposition as hopeless against such an array as had declared in favor of nullification. I found the same sentiments prevailing and the same fears entertained among the moderate men in Charleston; but after frequent conferences with my friends Judge Huger, M<sup>r</sup>. Petigru, M<sup>r</sup>. Pringle, D<sup>r</sup>. Johnson and others it was resolved at all hazards to organize an opposition to schemes which we considered likely to prove so ruinous in their consequences. In this determination we were confirmed and very much aided by Col. Drayton's honorable and public declaration of his sentiments in favor of the union.

"The Nullifiers try to make us believe that the union party are acting against your wishes. This has been already and on several occasions broadly asserted by the advocates of the rights of the states to nullify the laws of the general government and besides the respectable names of the Vice Prest., of W. M<sup>d</sup>. Duffie, Gen<sup>l</sup> Hayne and Major Hamilton we have had to contend against these assertions of your views on this question, which the censure

or dismissal of Mr Pringle would tend to confirm, for he is I believe the only officer of the general gov. in Charleston in favor of the Union party. The opposition which was commenced in Charleston has been extended throughout the rest of the state and the favorable result of the elections leads us to hope, that we shall prevent the call of a convention, which might have ended in an act of insurrection, for I can regard in no other light the consequences of this state nullifying an act of Congress. It has been asserted of us that we have been induced to oppose ourselves to these doctrines because we are in favor of Mr. Clay and of the American system. This Mr. President is not so. Mr. Clay and his system have no partizans in this state & so entirely do we rely upon your wisdom and sense of justice that we hoped that you would finally obtain for us a modification of the system w<sup>h</sup> really is injurious and oppressive in its operation upon us. We severally and universally desire, that you should consent to serve another term."

It seems, however, that a similar letter referring to the rumor prevalent in South Carolina had been written about the same time to the President by Mr. Robert Oliver, of Baltimore. To this letter General Jackson at once replied, and his answer may be regarded as intended not only for him but for Mr. Poinsett also.

WASHINGTON, Octobr. 26<sup>th</sup> 1830

"DEAR SIR

"I had the honour this evening to receive your letter of the 25<sup>th</sup> instant with its enclosure and agreeable to your request herewith return it, with a tender of my thanks for this token of your friendship & regard.

"I had supposed that every one acquainted with me knew that I was opposed to the nulifying Doctrine, and my toast at the Jefferson dinner was sufficient evidence of the fact. I am convinced there is not one member of Congress who is not convinced of this fact for on all occasions I have been open & free upon this subject. The South Carolinians, as a whole, are too patriotic to adopt such *mad projects* as the nulifiers of that State propose.

"That Mr Van Buren should be suspected of such opinions is equally strange.

"I am sir with great respect

" & regard, your mo obdt servt

"ANDREW JACKSON

"ROBERT OLIVER ESQ."

The "Jefferson dinner" to which General Jackson refers was an entertainment given on the 15th of April, 1830, in Washington, to celebrate Mr. Jefferson's birthday. The occasion was secretly and adroitly taken advantage of by the Nullifiers and those who sympathized with them to obtain from the leaders of the Democratic party in Washington, and especially from the members of the Cabinet, an expression of opinion that their proceedings would not be interfered with by the General Government. The President was a guest at this dinner, and he was not long in discovering what was expected of him by many of those present. He is said to have sat stern and silent, evidently trying hard to suppress the violent emotions which agitated him. He found relief when called upon for a toast, when he rose and said calmly but most earnestly to the astounded assembly who had hoped to entrap him, "THE FEDERAL UNION—IT MUST BE PRESERVED." The Vice-President, Mr. Calhoun, was then called upon, and this was his toast: "The Union, —next to our liberty the most dear. May we all remember that it can only be preserved by respecting the rights of the States, and distributing equally the benefit and the burthen of the Union."

The day of this Jefferson celebration seems to me one of the most noteworthy in our history. On that day the issue between the Union and the Disunion parties was distinctly and finally made up; each party prepared for the inevitable conflict, and each knew under what leader it would serve. General Jackson's honesty and inflexible will were even then pretty well understood by those friends and foes who had for their own reasons studied his character, and it became now clear to all that the Union men in South Carolina, in their struggle for the supremacy of the Federal law, would be supported by the whole force of the General Government, with the President at its head. The Nullifiers had failed utterly in securing that sympathy of the administration upon which they had so fully counted. They were so much discouraged and disappointed that, although violent and revolutionary talk was still the fashion in South Carolina,

no active efforts were made there to carry out their plans until more than two years later. Meanwhile, the Union party in South Carolina was much encouraged in organizing its powers of resistance.

In July, 1832, Congress passed an act reducing the duties levied by the tariff of 1828 on certain articles, and removing them entirely from tea, coffee, etc., by which it was calculated that the revenue from customs would be reduced three or four millions of dollars, or from twenty to twenty-five per cent. When Congress met in December, 1832, it was proposed by the Committee of Ways and Means still further to reduce the revenue levied under the act of 1828 about thirteen millions of dollars. General Jackson was re-elected President by a great majority in the autumn of 1832, and a sufficiently large number of members of the Congress which was to meet in December, 1833, had been chosen at the same time to render it apparent that the anti-tariff party would be largely in the majority in that Congress. Notwithstanding all these concessions present and prospective to the Free-trade party, and apparently in total contempt for the spirit of conciliation which was manifested by them in every part of the country, the leaders in South Carolina determined upon revolutionary proceedings. These proceedings, no doubt, confirmed the belief which had widely prevailed, that the cause of discontent in that State lay far deeper than the tariff, and that its removal would not remedy it. On the 24th of November, 1832, the convention in South Carolina adopted the ordinance of nullification and threatened secession, and the Legislature immediately afterwards passed laws to enforce its provisions. These measures are so fully described in Dr. Johnson's narrative that it is not necessary to explain them further here. Their effect was not only to place the State in a hostile attitude to the Government of the United States, but also to place those citizens of the State who were loyal to the Union beyond the pale of the protection of the State laws. Under these circumstances the Union men of South Carolina, through Mr. Poinsett, appealed to the Government

for advice as to the course which they as supporters of the Union should pursue, and for aid in resisting these measures should it become necessary. How this appeal was met by the President is best told in the eight letters addressed by him to Mr. Poinsett, which, as far as we know, are now printed for the first time. It is thought better to give them in a connected series as presenting the most faithful picture of the attitude of the President during the whole of this unhappy dispute, from the beginning until all danger of an armed resistance to the execution of the laws of the United States had passed away. As soon as the ordinance of nullification reached the President, he issued, on the 10th of December, 1832, his proclamation denouncing the revolutionary proceedings in South Carolina, and expressing his determination to execute the laws of the Government of the United States. Early in January he sent a special message to Congress asking that specific powers should be given him to close any port in South Carolina where armed resistance should be made to the collection of import duties, and during such suspension to establish custom-houses in places on land or on naval vessels in harbors where such resistance was not to be expected. The Judiciary Committee reported a bill, commonly called the "Force Bill," giving him the powers he asked for, but this bill was not passed until the close of the session in March. Indeed, from the view which General Jackson had of his duty it was hardly necessary. The President, as will be seen by his letters, needed no act of Congress either to shield him from responsibility or to give him authority to perform the constitutional duty he had assumed "faithfully to execute the laws." But the story is best told in his letters:

(No. 1.)

"(Confidential)

"WASHINGTON, Nov<sup>br</sup> 7<sup>th</sup> 1832.

"DEAR SIR,

"This will be handed to you by my young friend George Breathitt Esqr, brother of the present Governor of Ken-

tucky, in whom every confidence may be reposed. I beg leave to make him known to you as such.

“Mr. Breathitt goes to your state & city as agent for the post office Depart. he bears instructions from the secretary of the Treasury to the collector of charleston, but we want him only known as agent of the Post office.

“I wish him to see the F<sup>ts</sup> and revenue cutters in your harbour and to visit Sullivan’s Island. This to be done merely as a stranger having curiosity to examine your capacity for defence and facilities for commerce, to your polite aid I recomend him for this object.

“I have instructed him to obtain the real intentions of the nullifiers whether they mean really to resort to force to prevent the collection of the revenue and to resist the due execution of the laws and if so what proof exists to show that the imputations against important individuals and officers of the government in being engaged in advising, aiding and abetting in this threatened nullification and rebellious course are true.

“It is desirable that the Executive should be in possession of all the evidence on these points, and I have referred Mr. Breathitt to you & Col. Drayton believing that you will afford *him* all the knowledge you possess.

“Mr. Breathitt is charged with the enquiry what officers, if any, in the Customs or post office Department belong to or have adhered to the Nullifiers—and the character of Mr. Pruson Simpson from whom I have rec<sup>d</sup> a long letter to day, and all & every information of the views and measures of the Nullifiers which they mean to adopt.

“We have been looking for some information from some friend of the Union in that quarter but have hitherto been disappointed, but it appears a crisis is about to approach when the government must act, & that with energy—my own astonishment is that my fellow citizens of S<sup>o</sup> Carolina should be so far deluded, by the wild theory and sophistry of a few ambitious demagogues, as to place themselves in the attitude of rebellion against their Government, and become the destroyers of their own prosperity and liberty. There appears in their whole proceedings nothing but madness and folly. If grievances do exist there are constitutional means to redress them—Patriots would seek those means only.

“The duty of the Executive is a plain one, the laws will be executed and the Union preserved by all the constitutional and legal means he is invested with, and I rely with

great confidence on the support of every honest patriot in S<sup>o</sup> Carolina who really loves his country and the prosperity and happiness we enjoy under our happy and peaceful republican government.

“By the return of Mr. Breathitt I shall expect to hear from you.

“With my sincere regards

“I am yr mo. ob<sup>dt</sup> serv<sup>t</sup>

“ANDREW JACKSON

“JOEL POINSETT Esq<sup>r</sup>.”

(No. 2.)

“December 2<sup>d</sup> 1832.

“MY D<sup>R</sup> SIR,

“Your two letters of Nov. 24 & 25<sup>th</sup> last have been received and I hasten to answer them.

“I fully concur with you in your views of nullification. It leads directly to civil war and bloodshed and deserves the execration of every friend of the country. Should the civil power with your aid as a *posse comitatus* prove not strong enough to carry into effect the laws of the Union you have a right to call upon the Government for aid and the executive will yield it as far as he has been vested with the power by the constitution and the laws made in pursuance thereof.

“The precautionary measures spoken of in your last letter have been in some degree anticipated. Five thousand stand of muskets with corresponding equipments have been ordered to Castle Pinckney; and a Sloop of war with a smaller armed vessel (the Experiment) will reach Charleston harbor in due time. The commanding officer of Castle Pinckney will be instructed by the Secretary of War to deliver the arms and their equipment to your order, taking a receipt for them and should the emergency arise he will furnish to your requisition such ordnance and ordnance stores as can be spared from the arsenals.

“The Union must be preserved and its laws duly executed, but by proper means. With calmness and firmness such as becomes those who are conscious of being right and are conscious of the support of public opinion we must perform our duties without suspecting that there are those around us desiring to tempt us with the wrong. We must act as the instruments of the law and if force is offered to us in that capacity then we shall repel it with the certainty, that even should we fall as individuals the friends of liberty and union will still be strong enough to prostrate their enemies.

Your Union men should act in concert. Their designation as Unionists should teach them to be prepared for every emergency: and inspire them with the energy to overcome any impediment that may be thrown in the way of the laws of their constitution, whose cause is now not only their cause but that of free institutions throughout the world. They should recollect that perpetuity is stamped upon the constitution by the blood of our Fathers, by those who achieved as well as those who improved our system of free Government. For this purpose was the principle of amendment inserted in the constitution which all have sworn to support and in violation of which no state or states have the right to secede, much less to dissolve the union. Nullification therefore means insurrection and war; and the other states have a right to put it down. And you also and all other peaceable citizens have a right to aid in the same patriotic object when summoned by the violated laws of the land. Should an emergency occur for the arms before the order of the Secretary of War to the commanding officer to deliver them to your order, show this to him & he will yield a compliance

“ I am great haste

“ Y<sup>r</sup> ms ob<sup>dt</sup> servt.

“ ANDREW JACKSON

“ J. R. POINSETT Esq<sup>r</sup>.”

(No. 3.)

Dec<sup>br</sup> 9<sup>th</sup> 1832, WASHINGTON.

“ MY D<sup>r</sup> SIR,

“ Your letters were this moment recd. from the hands of Col. Drayton, read & duly considered, and in haste I reply. The true spirit of patriotism that they breathe fills me with pleasure. If the Union party unite with you, heart & hand in the text you have laid down, you will not only preserve the Union, but save our native state, from that ruin and disgrace into which her treasonable leaders have attempted to plunge her. All the means in my power, I will employ to enable her own citizens, those faithful patriots, who cling to the union, to put it down.

“ The proclamation I have this day issued, & which I enclose you, will give you my views, of the treasonable conduct of the convention & the Governors recommendation to the assembly—it is not merely rebellion, but the act of raising troops positive treason, and I am assured by all the members of congress with whom I have conversed that I will be sustained by congress. If so I will meet it at the

threshold, and have the leaders arrested and arraigned for treason—I am only waiting to be furnished with the acts of your Legislature, to make a communication to congress, ask the means necessary to carry my proclamation into complete effect, and by an exemplary punishment of those leaders for treason so unprovoked, put down this rebellion, & strengthen our happy Government both at home and abroad.

“My former letter & the communication from the Dept of War, will have informed you of the arms and equipments having been laid in Deposit subject to your requisition, to aid the civil authority in the due execution of the law, whenever called on as the *posse comitatus &c &c*.

“The vain threats of resistance by those who have raised the standard of rebellion show their madness & folly. You may assure those patriots, who cling to their country, & this Union, which alone secures our liberty & prosperity and happiness, that in forty days, I can have within the limits of S<sup>o</sup> Carolina fifty thousand men, and in forty days more another fifty thousand. How impotent the threat of resistance with only a population of 250,000 whites & nearly that double in blacks, with our ships in the port, to aid in the execution of our laws! The wickedness, madness & folly of the leaders and the delusion of their followers, in the attempt to destroy themselves and our union has not its paralell in the history of the world—The Union will be preserved. The safety of the republic, the supreme law, which will be promptly obeyed by me.

“I will be happy to hear from you often, thro’ Col. Mason or his son, if you think the post office unsafe.

“I am with sincere respect

“Y<sup>r</sup> mo. obdt. servt.

“ANDREW JACKSON

“MR POINSETT”

(No. 4.)

“(Private)

“WASHINGTON, Jan<sup>ry</sup> 16<sup>th</sup> 1833.

“MY D<sup>r</sup> SIR,

“This day I have communicated to both houses of Congress the Enclosed message, which has been referred to the committees on the judiciary, who, we have a right to believe, will promptly report a bill giving all the power asked for.

“I have rec<sup>d</sup> several letters from gentlemen in S<sup>o</sup> Caro-

lina, requesting to be furnished with the means of defence. Mr I Graham, an old revolutionary patriot, a Mr Harrison and Col Levy—I have requested Genl Blair to inform Col Levy to apply to you & I request that you will make it known confidentially, that when necessary, you are authorized, & will furnish the necessary means of defence.

“Mr. Calhoun let off a little of his ire against me to day in the Senate, but was so agitated, & confused that he made quite a failure, was replied to, with great dignity & firmness, by Major Forsyth—Calhoun finds himself between Scylla & Charybdis & is reckless—My great desire is that the union men may put nullification & secession down in S<sup>o</sup> Carolina themselves and save the character of the state, & add thereby to the stability of our Union—you can rely on every aid that I can give—only advise me of the action of the nullifiers,—The moment they are in hostile array in opposition to the execution of the laws, let it be certified to me, by the att<sup>y</sup> for the District *or the Judge*, and I will forthwith order the leaders prosecuted, & *arrested*—if the Marshal is resisted by 12,000 bayonets, I will have his posse 24,000—but the moment this rebellious faction finds it is opposed by the good people of that state, with a resolution becoming free men and worthy the name of Americans and under the protection of the union it will yield to the power of the land, and they will return to their obedience.

“I write in great haste, late at night, and much fatigued, & indisposed by a bad cold—You will excuse this scrawl it is for your own eye—write me often, & give me the earliest intelligence of the first armed force that appears in the field to sustain the ordinance—The first act of treason committed, unites to it, all those who have *aided & abetted* in the execution to the act—we will strike at the head and demolish the monster, Nullification & secession, at the threshold by the power of the law.

“I am very respectfully

“yr mo. ob<sup>dt</sup> servt

“ANDREW JACKSON

“JOEL R. POINSETT Esq<sup>r</sup>.”

(No. 5.)

WASHINGTON January 24<sup>th</sup> 1833.

“MY DEAR SIR,

“I have rec<sup>d</sup> yours of the 16<sup>th</sup> 19<sup>th</sup> & 20<sup>th</sup> instant, that of the 16<sup>th</sup> late last night & hasten to reply by the return express which will leave here early to-morrow.

“My Message to Congress, forwarded to you by the last express was referred to the committee in each house, on the judiciary—that of the Senate has reported a bill which you will receive from the secretary of the Treasury by the conveyance that will hand you this—you will see from a perusal, that it contains, with the powers you possessed, every authority necessary to enable the executive to execute the revenue laws, and protect your citizens engaged in their support, & to punish all who may attempt to resist their execution by force. This bill has been made the order of the day for Monday next, and altho this delay has been submitted to by the Senate, still I have no doubt but it will pass by a very large majority in both Houses—There will be some intemperate discussion on the bill & on Calhoun’s and Grundy’s resolutions.

“It was my duty to make known to Congress, being in session, the state of the Union; I withheld to the last moment to give Congress time to act before the first of February—Having done my duty in this respect, should Congress fail to act on the bill, and I shall be informed of the illegal assemblage of an armed force with intention to oppose the execution of the revenue laws, under the late ordinance of S<sup>c</sup> Carolina, I stand—prepared forthwith to issue my proclamation warning them to disperse. Should they fail to comply with the proclamation, I will forthwith call into the field, such a force as will overawe resistance, put treason & rebellion down without blood, and arrest and hand over to the judiciary for trial and punishment, the leaders, excitors and promoters of this rebellion & treason.

“You need not fear the assemblage of a large force at Charleston—give me early information, officially, of the assemblage of a force armed, to carry into effect the ordinance & laws, nullifying our revenue laws, and to prevent their execution, and in ten or fifteen days at farthest I will have in Charleston from ten to fifteen thousand men well organized troops, well equipped for the field—and twenty thousand, or thirty, more, in the interior. I have a tender of volunteers from every state in the Union—I can, if need be, which God forbid, march two hundred thousand men in forty days to quell any, & every insurrection, or rebellion that might arise to threaten our glorious confederacy & Union, upon which our liberty prosperity & happiness rest.

“I repeat to the union men again fear not, *the union will be preserved* & treason and rebellion promptly put down, when, & where it may show its monster head. You may rest

assured that the nullies of Carolina will receive no aid from any quarter—They have been encouraged by a few from Georgia and Virginia, but the united voice of the yeomanry of the country and the tender of volunteers from every state have put this down—They well know I will execute the laws, and that the whole people will support me in it, and preserve the Union. ( Even if the Governor of Virginia should have the folly to attempt to prevent the Militia from marching thro' his state to put the faction in S<sup>o</sup> Carolina down & place himself at the head of an armed force for such a wicked purpose, I would arrest him at the head of his troops, & hand him over to the civil authority for trial. The volunteers of his own state would enable me to do this. I repeat again, my pride and desire is, that the Union men may arouse & sustain the majesty of the constitution & the laws, and save my native state from that disgrace that the Nullifiers have brought upon her. Give me early intelligence of the assemblage of an armed force anywhere in the state, under the ordinance & the laws to nullify & resist the revenue laws of the United States, and you may rest assured I will act promptly and do my duty to God and my country, & relieve the good citizens of that despotism & tyranny, under which the supporters of the Union now labour.

“On yesterday the tariff bill (Verplancks) would have passed the House of representatives had it not have been for a very insulting & irritating speech by Wilde of Georgia which has thrown the whole of Pennsylvania New York & Ohio into a flame—I am told there is great excitement, and no hopes now of its passing this session. It is further believed that the speech was made for this purpose, at the instigation of the nullies, who wish no accommodation of the tariff—This will unite the whole people against the nullifiers, & instead of carrying the South with the nullies, will have the effect to arouse them against them when it is discovered their object is nothing but disunion. The House sat late & I have not heard from it since 7 o'clock—I must refer you to M<sup>r</sup> McLane for further information as it is very late & my eyes grow dim—keep me well advised & constantly—The arms are placed subject to your requisition, and under your discretion I keep no copy, nor have I time to correct this letter—

“ In haste very respectfully

“ Your Friend

“ ANDREW JACKSON

“ J. R. POINSETT ESQ<sup>r</sup>.”

(No. 6.)

“WASHINGTON CITY February 7<sup>th</sup> 1833.

“D<sup>r</sup> SIR,

“Yours of the 27<sup>th</sup> and 28<sup>th</sup> ultimo have been handed me by M<sup>r</sup> Smith—that of the 30<sup>th</sup> thro’ Col. Drayton has also been rec<sup>d</sup>. Their contents being considered I hasten to reply.

“The nullifiers in your state have placed themselves thus far in the wrong. They must be kept there notwithstanding all their tyranny and blustering conduct, until some act of force is committed or there is an assemblage of an armed force by the orders of your Governor under the ordinance and Replevin laws to resist the execution of the laws of the United States. The Executive of the United States has no legal and constitutional power to order the Militia into the field to suppress it until that time, and not then, until his proclamation commanding the insurgents to disperse has been issued. But this you may rely on, will be promptly done by the President the moment he is advised by proper affidavits that such is the condition of your state. You should not therefore fear the result of the movement anticipated from the upper country for the purpose of enforcing the odious and despotic *writ in withernam* should it really be made.

“Keep me advised of the first actual assemblage of an armed force in the upper part of your state, or in any other part of it, or in any part of the adjoining states, and before it reaches you I shall interpose a force for your protection and that of the city strong enough to overwhelm any effort to obstruct the execution of the laws. But bear in mind the fact that this step must be consequent upon the actual assemblage of such a force, or upon some overt act of its commission. In this event which I trust in God will not happen, I will act and with firmness, promptness and efficiency.

“I sincerely lament that there is a contingency so probable which menaces the safety of those who are acting with you to sustain the Union and laws of our happy country. But let what will happen remain at your post in the performance of this the highest of all duties. Be firm in the support of the Union: it is the sheet anchor of our liberty and prosperity—dissolve it and our fate will be that of unhappy Mexico. But it cannot be dissolved: the national voice from Maine to Louisiana with a unanimity and resolution never before exceeded declares that it shall be preserved, and those who are assailing it under the guise of nullification and secession shall be consigned to contempt and infamy.

“In resisting the tyrannic measures by which the ruling party in S<sup>o</sup> Carolina have proposed to obstruct the laws of the Union, you are thrown back upon the right of self defence. Deprived of the protection guaranteed to you by your own constitution, violent resistance to the tyranny which thus oppresses you becomes a duty, and in the performance of it the constitution and the laws of the United States will be your shield. Do not doubt that this shield will be upheld with all the power which I am or may be authorised to use.

“As soon as I am notified that the hostile array which you anticipate has been made the positions recommended as proper to be occupied for defence will be taken. Of this fact let me be notified by an express who will bring the proper evidences of it.

“I have regretted that your convention did not, as such, memorialise Congress to extend to you the guarantee of the constitution, of a republican form of Government, stating the actual despotism which now controls the state. The action of Congress on the subject would have placed your situation before the whole Union, and filled the heart of every true lover of his country and its liberties with indignation.

“I can order the regular troops to take any position which may be found necessary: but your own advice has been to ‘do nothing to irritate.’ When the crisis comes and I issue my proclamation, authority will be given to embody all volunteers enrolled for the support and execution of the laws, and the officers of the same of their own selection will be sanctioned by the president, as has been usual upon the receipt of the muster rolls.

“It has just been mentioned to me that a bet has been taken by a man supposed to be in the secrets of the nullifiers that the convention will be called and the odious ordinance repealed. God grant that this may be true. Let not this hope however lessen your watchfulness or your exertions—my pride is to save the character of my native state by the patriotism of its own citizens. Firmness on your part will do this.

“The Tariff will be reduced to the wants of the Government if not at this session of congress certainly at the next.

“Referring you to Mr. Smith I close this hasty scrawl with my prayers for yr happiness

“ANDREW JACKSON

“J. R. POINSETT Esq<sup>r</sup>.”

(No. 7.)

“(Private)

“WASHINGTON February 17<sup>th</sup> 1833.

“MY DEAR SIR,

“I have just received your letter of the 9<sup>th</sup> instant, I never once thought, that the mission of M<sup>r</sup> Leigh, with his powers, would be attended with any beneficial result whatever: It has only served to place the legislature of Virginia in a disagreeable attitude, and has done more harm than it can good. Had Virginia passed resolutions disapproving, as she has done, nullification, and admonishing the nullifiers to retrace their steps, this would have done much good, and instead of encouraging them in expecting her aid, would have caused them to have repealed their ordinance. The great body of the people of Virginia are firmly opposed to the course of the Legislature in this respect, and will support the United States nobly, should the crisis come, which I trust the firmness of the Union men may yet prevent.

“The bill granting the powers asked will pass into a law. M<sup>r</sup> Webster replied to M<sup>r</sup> Calhoun yesterday, and, it is said, demolished him. It is believed by more than one, that M<sup>r</sup> C. is in a state of demerit—his speech was a perfect failure; and M<sup>r</sup> Webster handled him as a child. I fear we have many nullifiers in Congress, who dare not openly appear;—the vote on the pending bill will unrobe them.

“I am delighted to learn that you will convene the Union Convention simultaneously with that of the nullifiers, or soon after. A bold and resolute stand will put them down, and you will thereby save the character of your State. When you recollect the noble cause you are defending,—that our precious union is the stake,—that the arm of the United States, sustained by nineteen twentieths of the whole people, is extended over you,—you cannot be otherwise than firm, resolute and inflexible. One resolution,—that you nail the United States colours to the mast, and will go down with the Union or live free; that you will, to your last breath, resist the tyranny and oppression of their ordinance, test oath and unconstitutional proceedings, will restore to you peace and tranquility, which a well adjusted tariff will confirm.

“Before the receipt of your letter M<sup>r</sup>. Livingston had an interview with M<sup>r</sup> Bankhead on the subject of the conduct of the British consul at Charleston. M<sup>r</sup> Bankhead has written & admonished him that his *executur* will be revoked on his first act of interference. This I assure you, will be

done. I have only to request that you will give us the earliest intelligence that you can obtain of his having ordered a British squadron to the port of Charleston; and on an affidavit of the fact of one arriving there, his *exequatur* will be revoked.

“Keep me constantly advised of all movements in South Carolina,—the marshalling troops to oppose the execution of the laws of the U. States, affirmed on affidavit, and I will forthwith use all my powers under the constitution and the laws to put it down.

“with great respect  
“Yr friend

“ANDREW JACKSON

“J. R. POINSETT ESQ”

(No. 8.)

“WASHINGTON, March 6, 1833.

“MY DEAR SIR,

“Your letters of the 22<sup>nd</sup> & 28<sup>th</sup> ultimo are both before me, and I hasten to give you a reply by Col. Drayton, who leaves in the morning.

I rejoice at the firmness lately evinced by the Union party. The Bill more effectually securing the collection of the revenue, or, as some call it, the enforcing Bill has passed the House of Rep's by the unparalleled majority of 102. I say unparalleled because it has not happened, according to my recollection, in the course of our legislation, that any measure, so violently contested as this has been, has been sustained by such a vote. This Bill gives the death blow to Nullification or Secession, and, if the Nullifiers of your state have any regard for the Union, or the bold, but respectful expression of the peoples determination, *that the laws shall be executed*, and that no state shall secede at her will and pleasure, there will be no difficulty.

The Tariff Bill has also become a law, but was not passed until after the collection Bill. The passage of the Collection Bill proves to the world the fixed determination of Congress to execute, as far as their action was necessary, the laws passed in pursuance of the Constitution. I have always thought that Congress should reduce the Tariff to the wants of the Government, and the passage of such a Bill became peculiarly proper after Congress had, by the passage of the “enforcing” Bill, so fully shewn to the world that she was not to be deterred by a faction, which, if found in rebellion and treason, she was prepared to crush in an instant.

“The Bill which has passed is not of the exact character which I would have preferred, but it is hoped that it may have a good effect in the South, as most, if not all, of her prominent men gave it their support.

“Congress displayed, after shewing how little it regarded the threats of some South Carolinians a proper sense of justice to the people by making the reduction they did, and, to that extent, relieving the people of useless taxation.

“I am happy to learn that you intend moving on *pari passu* with the nullification party, and that your convention is called to meet at Charleston to be prepared to act, if necessary, in support of the *Union*.

“The stake is an important one, and the retention of it worthy the patriots best, and noblest efforts. If lost the world may bid adieu to liberty and all that is dear to freemen.

“Should the nullifiers be rash enough to attempt secession, and form a constitution and submit it to the people surely no one would countenance such an unauthorized act by voting on the question. I do not doubt but that those who love their country and our happy union would, in such event, be united to a man in their maintenance, and that the union convention would come forth in the majesty of her strength—which consists in the justice of her cause and the will of the people—in denunciation of such an unholy procedure.

“I have only time to say one word on the Subject of the union members attending the nullifying convention. My opinion is, that they ought to attend, but upon this condition that they present, with *boldness* and *talent*, the tyrannical, wicked and unconstitutional proceedings of the Nullifiers to the world, in all their naked deformity. The union party will always gain by coming in open contact with the Nullifiers.

“Reason must, when exercised, always triumph over error. Witness Calhoun’s defeat in the Senate. If the nullifying convention determine on secession, and forming a new constitution the Union members ought, after entering their solemn protest against the proceedings immediately withdraw, and forthwith join the Union convention, which ought then to issue its proclamation, or determination, to adhere to, and support the Union of these United States, to the last extremity.

“I must refer you to Col. Drayton for the news of the city. Keep me constantly advised of matters relating to

the conduct or movements of the nullifiers, and all will be well, and the federal union preserved.

“Y<sup>r</sup> Friend

“ANDREW JACKSON

“J. R. POINSETT ESQ<sup>r</sup>.”

These letters of General Jackson seem to me strikingly characteristic of the man. They are clear, bold, and decided in their tone, beginning, it will be observed, with a certain calm dignity, and then swelling with a *crescendo* of passionate indignation as the thought of the crime with which he is dealing fires his heart. They leave no doubt either as to his sentiments or his intentions. The cloud of sophistry, which the disunionists had thrown around the relations between the General Government and that of the States and the obligations of obedience to the supreme law of the land, disappears as it comes in contact with the strong, practical common sense of the President. In the position which he occupied he could see but one duty which he was called upon to perform, and that was to take care that the laws should be faithfully executed. His views of his duty may have been narrow, but they were exceedingly clear. In these letters there is not one word of sympathy for those who have taken revolutionary methods of righting what he in common with them regarded as a grievance. He makes no excuse or apology for any one who has been involved in the guilt of rebellion, and he waits only for the overt act, which shall make their act treasonable, to order their arrest and trial. He is so carried away by the earnestness of his desire to suppress armed resistance to the execution of the laws that he is utterly unyielding, even at times stern and pitiless. His business is not to advise or suggest compromises, still less to conciliate, but to act. He goes so far as to maintain that although an act of Congress may be useful in authorizing him to close the ports, yet that no such act is necessary to empower him to execute his constitutional duty of enforcing the execution of existing laws. Yet he had no design or intention of doing any arbitrary or illegal act. His duty he looked upon as completed when

he arrested traitors against the government, even, as he says, "the Governor of Virginia at the head of his troops," and handed them over to the courts, to be there tried and punished for their treason.

It may readily be conceived how these letters must have cheered and encouraged Mr. Poinsett and his friends and colleagues, the leaders of the Union party in South Carolina. The military forces of the State had been rapidly organized under its authority, and thousands of armed men from the country districts burned with impatience to sweep down upon Charleston and seize there the men who were loyal to the Union. During the early months of 1833 it cannot be doubted that the position of these men was one of great personal danger. They looked upon the measures which had been adopted by the General Government for the defence of Charleston (which are so graphically described in Dr. Johnson's narrative) as inadequate, and in their anxiety they naturally complained that the Government seemed slow in coming to their relief. The letters of two of these leaders, Mr. Poinsett and Judge Huger, at this crisis have been preserved, and they show how great was the alarm and how well-founded were their fears of danger.<sup>1</sup> These letters were addressed to Colonel Drayton, at that time a member of the House of Representatives from the Charleston district,—a man who did more and suffered more for the cause of the Union in those trying times than any other inhabitant of the State,—and it was intended that they should be laid before the President for his information and guidance. Some extracts from these letters may be given as disclosing the actual condition of affairs as it appeared to these leaders of what then seemed to be a "forlorn hope."

On the 8th of January, 1833, Mr. Poinsett writes :

<sup>1</sup> I am indebted to my friend Mr. Heyward Drayton for the letters which were addressed by Messrs. Poinsett and Huger to his father. These letters complete the secret and confidential correspondence between the chiefs of the Union party in 1832-33. It is a little singular that these letters, coming from such different quarters, should find a common resting-place in Philadelphia, and that they should now be used for the first time to vindicate the course taken by their authors.

“I am afraid that all hope of putting down nullification in this State by moral force must be abandoned—I most sincerely hope the vain blustering of these madmen will not influence the deliberations of Congress upon the tariff. Here a hope is cherished that nothing will be done in the matter this year as such a concession would confirm the power & the popularity of the Nullifiers of the State. I do not share this sentiment. Such a result is of minor importance. Let us destroy the monster, and try conclusions with these men afterwards. I am glad to hear your opinion of the sentiments of Congress respecting the secession of the State. I go for practical results rather than for metaphysical abstract rights. If a State should be allowed to secede our gov<sup>t</sup> is at an end.”

He then adds significantly,—

“I should like to have one hundred sabres, and as many pairs of pistols sent to the commanding officer here.”

On the 16th of January he writes to Colonel Drayton,—

“I observe that you say that you have urged the Pres<sup>t</sup> not to interfere with our party by affording them the aid of the Federal troops under *existing circumstances*. But what are we to do if Charleston is filled with Nullifiers from the country? The regular troops, Municipal and Magazine guards will consist of 150 men divided into two companies. The artillery is in the hands of our opponents, and even if we had ordnance we have no artillery men. Five thousand men have Volunteered, and those from Richland & Sumter are anxious to be brought down to insult us . . .

“Is not raising, embodying and marching men to oppose the laws of the United States an overt act of treason? Ought not such acts to authorise the interference of the Executive? I have no hope & see no means by which the revenue laws can be enforced by legal process &c.”

Many other letters from Mr. Poinsett might be given, all showing an earnest desire on his part that a sufficiently large Federal force should be sent to South Carolina, ready to act the moment the Nullifiers should begin hostilities. The letters of General Jackson were written to reassure him and his friends that the whole force of the Government would be employed to sustain them.

Another of Colonel Drayton's correspondents was Judge Daniel E. Huger. He was a most conspicuous man in South Carolina, an earnest leader of the Union party there, and, like all the others, had many friends and relatives on the other side. He took a somewhat different view of the subject of Federal armed intervention from Mr. Poinsett.

In a letter dated December 17, 1832, Judge Huger, after explaining that the Union Convention at Columbia did not call upon the President for protection lest such an appeal should "Exasperate the Nullifiers," goes on to say,—

"I trust in God that the President will not use the means he confessedly has, but will leave to Congress the determination of the course to be pursued. Not that I would have our noble President flinch from responsibility, but Congress is regarded as the People of the United States. From their course there could be no appeal, and this would dampen very much the spirit of our opponents."

Again, in another letter of the same date, he says,—

"The great body of the Union party, at this moment, are unwilling to look to the Gov<sup>t</sup> for protection, and I confess for one that I would prefer defending ourselves, and only in the last extremity accept of Federal assistance. I am aware how dangerous this course is. I do not like the idea of having our opponents put down by force. If the parties take the field, the Gov<sup>t</sup> might be used as an auxiliary without offending the State pride of our people, but if the Gov<sup>t</sup> be principal in the war, our people will join most reluctantly if they join at all. The Gov<sup>t</sup>, of course, must do its duty; the revenue laws, I suppose, must be enforced, but disabuse, if you can, the President of any wish on our part to have forces marched into this State with a view to our protection. We would rather suffer much than see our countrymen dragooned."

It was perhaps well for the peace of the country at that time, that these conflicting opinions of the leaders of the Union party in South Carolina, as to the nature and amount of coercion which it was expedient to use in order to secure

obedience to the laws, were reviewed by the cool and sagacious judgment of Colonel Drayton before they were submitted to the President. Between the urgent appeals of Mr. Poinsett for the immediate use of force enough to effect the object, and the strange kind of force advocated by Judge Huger, half principal and half auxiliary (a truly Southern definition of force, by the way), and the inflexible determination of the President to employ force of any kind, "principal or auxiliary," or both, to compass his ends, which were the execution of the laws and the punishment of rebels against their authority, Colonel Drayton must have been sorely perplexed how to satisfy all parties. But he proved himself a negotiator and diplomatist worthy of the occasion. He had some peculiar qualifications for such an office. He had proved himself during a long course of public service a man of such high honor and such unimpeached integrity that he was at that time not only respected but trusted by all parties. He was deeply impressed with the soundness of the political views held by the Union party, he knew well the lawlessness and madness of the Nullifiers, and he could not help seeing that if obedience to the laws of the United States was to be secured, force must be in the last resort employed. But with the far-seeing sagacity of a statesman, and with a certain tender regard for the misguided men of his own State, he thought that the *ultima ratio* should be postponed until every other method of compelling obedience had been exhausted.

With these views he turned his attention first to removing the great obstacle to peace,—the provisions of the Tariff Acts of 1828 and 1832. On the 9th of February, 1833, he proposed an amendment to the pending bill of Mr. Verplanck, reducing the rate of duties one-third after the 2d of March, 1834, and although his proposition was then rejected by the House, its introduction none the less marks the beginning of the compromise system which was afterwards adopted as a *modus vivendi* by both Houses. In a letter to Mr. Poinsett of that date, he thus explains the motives that led to his action :

“Should what I have proposed become a law the accumulation of the surplus revenue would be prevented, the rate of protection would be diminished, and an interval would be allowed for the manufacturers to save themselves from the losses which they would sustain by an instantaneous removal of the protective duties. For the sake of South Carolina as she is, I would not make the slightest effort to reduce the protective duties. On the contrary, I should be opposed to legislating altogether at this time unless by doing so a result might be accomplished which might deprive the Nullifiers of their means of doing mischief by conciliating those States whose co-operation they are desirous of obtaining, and without whose co-operation they must be sensible that their revolutionary plans would fail.”

Meanwhile, Colonel Drayton had submitted to the President the views of Judge Huger. On the 31st of December he writes to Mr. Poinsett,—

“I have had several conversations with the President & proposed to him not to interfere with our party by affording them the aid of the Federal troops under *existing circumstances*, & he acquiesces in the policy of this forbearance, observing that he hopes to see the patriots of S. Carolina put down sedition & rebellion themselves. So soon as the laws passed by our late legislature in conformity with the directions of the Ordinance shall reach here a special message, I presume, will be sent by the Pres<sup>t</sup> to Congress. Congress will then have this distracting subject before them, and unless I labor under the darkest error, the majority of Congress will not permit South Carolina *peaceably* to secede from the Union.”

As time went on, and the Nullifiers grew more bold and defiant, Colonel Drayton was forced to regard armed intervention as a measure becoming more probable every day. But his loyalty to the Union never grew cool even when submitted to the crucial test of coercion should it be found necessary to adopt it.

“If our citizens,” he says in a letter to Mr. Poinsett, January 13, “will not pay duties upon dutiable imports, and we resolve to exclude the Federal Courts from deciding controversies which are constitutionally within their jurisdic-

tion our ports will be blockaded. . . . In the event of our being drawn into a struggle with our foes and the foes of our country, and of our rights and liberties I hope & trust that we shall meet the emergency like men, prepared without boasting to defend ourselves with arms in our hands. The Nullifiers appear to be persuaded that they could raise the blockade of our ports and produce the retreat of the navy and military of the Federal Gov<sup>t</sup> whenever they please simply by the formal declaration of Secession; but in this respect they labor under the same delusion which has characterised all their proceedings, for nothing is more evident to any observer at this place than that the Congress of the United States will not permit South Carolina to withdraw herself from the Union."

"The President contemplates sending a special message to Congress upon the subject of our affairs & declared that he would immediately execute his intention unless I should say to him that a delay would contribute to the safety of the members of the Union party. I told him that it would be a source of infinite regret to us if the proper course of the Gov<sup>t</sup> should be arrested or paralysed by any consideration which was personal to ourselves, that we felt, I was confident, the same inclination which he did that the madness & folly and lawless usurpation of those who now tyrannised over us should be suppressed by the authority of the Union. I suggested to the President that it might be advisable to postpone the communication for a few days in order that some impression may be made on the tariff discussion, this he has promised to do."

The danger of an armed collision was averted, as is well known, by the unshaken firmness of the President, and the passage of the Compromise Bill of Mr. Clay by the combined vote of the Protectionists and the Nullifiers, with Mr. Calhoun at their head. The secret history of this bill may be read in Mr. Benton's "Thirty Years in the Senate," vol. i. p. 342. Suffice it to say here that the result was that the bill gave to the Protectionists all that they could reasonably claim in the changed condition of feeling throughout the country in regard to the Tariff question,—a rate of protection gradually decreasing during nine years,—while, of course, it was not satisfactory to the Legislature of South Carolina, which continued for some time to protest, threaten, and

nullify. But the people outside of the State, and the General Government paid little attention to all this talk, regarding it, as it proved to be, mere *brutum fulmen*.

I certainly have no design of writing a history of the Nullification troubles. I merely wish to present the views of some of the most eminent men in South Carolina at that time—of Poinsett, of Huger, and of Drayton—in regard to a question which has always been important, and which our later history has shown to be the most practical in its bearings of any which can agitate the country,—namely, the duty of the General Government to enforce the execution of its own laws under all circumstances and everywhere. If this is a principle which is now deeply rooted in the national life, and universally recognized as the basis of our national policy, we ought, it seems to me, to recall with pride and thankfulness the heroic struggles of those men who in the darkest days of trial and personal danger, and with a full consciousness that they were sacrificing fortune, and old friends, as well as social and political position, boldly proclaimed and maintained the truth upon which the Government under which we live has been built.<sup>1</sup>

When the strife and excitement attendant upon the “troubles times” of the Nullification era had closed Mr. Poinsett married, and became a rice planter near Georgetown. Here he exhibited the same enterprise, intelligence, and activity which he had displayed in his public life. He became a prosperous planter, and the hours which he could spare from the cultivation of his farm were given to reading, and especially to scientific studies, while he enjoyed the society of the cultivated people who thronged around him, eager to learn from his lips the lessons which had been taught him by a large experience of life in many countries and under many diverse conditions. Like many retired statesmen he became extremely fond of the comparative repose of rural

<sup>1</sup> Colonel Drayton resigned his seat in Congress in 1833, owing, as he expressed it, “to a deep-rooted and thorough disgust of public life.” He removed shortly afterwards to Philadelphia, and the remainder of his useful and honorable life was passed in that city.

life. He believed in the possibility of cultivating successfully here many of the plants which he had seen growing in the various countries he had visited, and he amused himself with experiments to naturalize them here. Probably this period of his life was the happiest he had ever known. He had at last a home where he was surrounded not only by the comforts of life, but where his refined and elegant tastes had full play. Shut out, it is true, by his political opinions from public life in his own State, he nevertheless enjoyed what has always been "the classic diversion of a statesman's care,"—the cultivation of his fields and the never-failing resource of his books.

But although his own State neglected him, he was not forgotten by those who remembered and could reward his services to the nation. He was appointed Secretary of War in 1837 by Mr. Van Buren, and certainly no one was a better judge than he of the activity, temper, and tact which Mr. Poinsett would bring to the execution of the duties of his office. The new field of duty upon which he entered at Washington was, as we have seen, one entirely suited to his tastes and habits from his earliest boyhood. He at once introduced strict methods of accounting into the transaction of the business of the office, and he especially distinguished himself by improvements in what may be called the scientific work of the Government. It was he who was chosen (although the subject properly belonged to the Navy Department) by Mr. Van Buren's Cabinet to organize and equip the "Wilkes Exploring Expedition," and whatever credit the nation received for the results of that voyage, a good deal of it belongs to his provident care and liberality in fitting out the expedition. He planned and founded, moreover, the first National Museum and Institute in Washington, which was the worthy progenitor of the more famous Smithsonian Institution.

While in Europe in early life he had been much struck with certain improvements which had been introduced into the organization of the French armies under Napoleon. Among these things was the constitution and duties of the

*état major*, or general staff of the army, the improvements in artillery equipment and practice, and the vast importance of a *corps*, known in the English service as that of sappers miners. He labored hard to introduce all these improvements into our own small army. He was only partially successful. He completely reorganized, however, our artillery, and established batteries of what were called flying artillery. He sent Colonel Ringgold, who was afterwards killed while doing gallant service at Palo Alto in command of one of these batteries, to Europe to perfect himself in the details of the service. Much of our success in the battles of the Mexican War was owing, as is well known, to the superiority of our artillery, and its excellence was in a great measure due to the prudent care and foresight of Mr. Poinsett while Secretary of War.

When Mr. Van Buren's term as President expired, Mr. Poinsett returned to his plantation in South Carolina. He went back to his old work with renewed interest, and took no further part in political affairs. His health, as well as that of his wife, required attention, and they lived happy and contented together in private life. No one enjoyed more domestic happiness than he; and no one had more reason to wish for its long continuance. But the time of his departure was at hand, and he died peacefully on the 12th of December, 1851, being nearly seventy-three years old.

Mr. Poinsett had been much in the public eye for more than a half a century, and his career had been, as I have endeavored to show, a singularly useful and honorable one. During the whole of it he was remarkable for many qualities in which our prominent men are often singularly deficient. In the extent of his knowledge, in his devotion to duty as a principle in public affairs, in the firmness and decision of his character, in the great courage of his opinions, he had few if any rivals. As a speaker he was clear and forcible; his voice was not strong, but so distinct that he could be heard without difficulty. In the control of his

temper, in his self-possession in danger, in the courteous simplicity of his manners, he was a model. Above all, he was a typical American, willingly sacrificing everything to maintain his American principles, and as such, it seems to me that he is one of those Americans whose memory we should not willingly let die.







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